R. Jacob (G.) 7 Ge

THE
Compleat Sportsman.

IN THREE PARTS.

PART I. Containing the Nature and various Kinds of GAME, under their several Denominations, with the best Methods of taking the same, by Shooting, Hunting, Dogs, Nets, and otherwise; and the LAWS and Statutes made for Preservation of the Game, with Warrants to impower Game-keepers, &c.

PART II. Of the best Situations and Methods of erecting and Management of PARKS, Warrens, &c. Of Hunting the Buck, Doe, &c. And a concise Abridgment of the FOREST-LAWS, and of all the Laws and Statutes relating to Deer: Methodically interspersed with Precedents of Warrants for Deer, &c.

PART III. Of FISH and Fishing; the most successful Methods of Angling; the only proper Baits, Tackle and agreeable Seasons for taking all Sorts of Fish; and the Rivers wherein they are to be found; with the STATUTES relating to Fishing, &c.

Ant. In the SAVOY, Hall.

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MVSEVM
BRITAN
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TO

Sir Charles Keymis, *of* Keven-mabley *in the County of* Glamorgan, *Bar^t.*

SIR,

THE very great Variety of rural Pleaſures, centering in the Neighbourhood of your beautiful and magnificent

Seat, and the generous Uſage you were pleaſed to Honour me with ſome Years ſince, when I was at *Keven-mabley*, embolden me in the Dedication of this ſmall Performance to you.

Though it be uſual in Addreſſes of this Kind, I ſhall not deſcend to any Particulars on the perſonal Merit, Virtues, and Qualifications wherewith you are endow'd, and which are highly conſpicuous; I am ſure of your Pardon without thoſe Encomiums, which

which otherwiſe thro' your ſingular Modeſty might be doubtful: But I cannot omit obſerving, that your Hoſpitality is no leſs admired, than your prudent Oeconomy, and your Benevolence ſufficiently acknowledged by the neceſſitous Part of Mankind.

When I had the Honour to be laſt at your Houſe, amidſt the moſt indearing Accommodations; it was the greateſt Satisfaction to me imaginable to accompany you in your hunting Diverſions, which

you are no ſooner out of your Door but you enjoy; and what gives a great Addition to your Pleaſure, Sir, is, that you are oftentimes tir'd in the Purſuit of Sport within the Limits of your own Lands.

The Vale you are ſituated in, is, perhaps, equally fine to any in *England*, adorn'd with beautiful Proſpects, and the moſt ornamental Woods and Coppices, which afford an uncommon Plenty of all Sorts of Game: Neither are you far diſtant from

pleaſing

pleaſing Rivers and gliding Streams, plenteouſly ſtor'd with all Kinds of Fiſh; beſides numerous Fiſh-Ponds and murmuring Brooks, entirely encompaſſing your Manſion-Houſe.

There are few Obſervations in the following Treatiſe, that you are not in ſome Meaſure acquainted with, by your continual Exerciſe when in the Country: But I hope notwithſtanding, the great Variety of Informations contained within ſo ſmall a Com-

Compaſs, and the Laws relating to the Game regularly interſperſed, will render it ſome ſmall Addition to your Entertainment in a Parliamentary Receſs.

I beg your Pardon for my Preſumption, and am,

SIR,

Your moſt humble Servant,

Giles Jacob.

THE

THE PREFACE.

THE *Advantages of a Country-Life are ſo univerſally known, that I have no Neceſſity of inlarging upon that Subject; and as the Diverſion of Hunting, and other Exerciſes belonging to Game, make up the greateſt Pleaſure attending a Retirement in the Country; ſo it is the greateſt Satisfaction to me, that I have now an Oppor-*

Opportunity of introducing a Treatiſe on that Head.

I doubt not but the Reader will do me the Juſtice to confeſs, that this Book is the compleateſt on the Subject; and that it takes in not only the ſeveral Particulars neceſſary for the Information of young Gentlemen, Strangers to a Country Life, but alſo many uſeful Things intirely unknown to the experienced Country Gentleman, will be eaſily diſcovered: And beſides the Additions and Improvements, this Performance will prove the beſt and cheapeſt Remembrancer of what the Sportſman may have a Notion of, he can any Ways purchaſe.

If my Experience in the Buſineſs I have handled, be not ſo extenſive as the active Gentleman, who hath ſpent an Age in the Country, (not but it muſt be allowed to be tolle-

rable,

rable, when it is conſidered, that I was intruſted with the Care and Preſervation of the Game, of very conſiderable Eſtates for ſeven Years together ſucceſſively,) I have ſupplied the ſame with Obſervations of Gentlemen intirely accompliſhed in the Affairs of Game and other rural Pleaſures, and of experienced Game-keepers, to make this Work as compleat as is poſſible: To theſe valuable Informations, I have added a conciſe Abridgment of the Laws and Statutes relating to all Sorts of Game, &c. to this very Time.

If during the Buſtles and Confuſions in the World, I can entertain the Man of Fortune in Retirement, with an innocent Country Diverſion, which greatly contributes to the Preſervation of Health, (the moſt conſummate Happineſs we

have on Earth,) my Ends are anſwered; And I hope this Performance by the Method I have purſued, and the Care I have taken, (though I have confin'd the ſame to the narroweſt Bounds,) will be received by all Gentlemen who ſpend any Part of their Time in the Country, with the Candour natural in Country Gentlemen.

THE

THE
Compleat Sportſman.

PART I.

Containing the Nature and various Kinds of GAME, *under their ſeveral Denominations: With the beſt Methods of Taking the ſame, by Shooting, Hunting, Dogs, Nets, and otherwiſe; and the Laws and Statutes made for Preſervation of the* GAME; *with Warrants to Impower Game-Keepers,* &c.

GAME is defin'd in general to be Prey, got either by Hunting or Fowling; and conſiſts of Hare, Pheaſants, Partridges, Moor, Heath-Game, and Growſe. Then there are other Birds frequently taken by the Fowler at certain Seaſons, that are no leſs valuable than Game, ſuch as Rails, Quails, Plover, Woodcocks, Snipes, Wood-pigeons, Fieldfares, Larks &c. and a numerous Variety of Water-Fowl.

As the Gun and the Dog are the two Materials to be firſt prepar'd, before the Sportſman can

commence his Rural Diverſions, I ſhall early communicate ſome Obſervations relating to the Election of the former, and the Breeding up and Management of the latter.

In ancient Times, the beſt Fowling-piece was thought to be that which had the longeſt Barrel; and a Barrel to a Gun five Foot and a half, or ſix Foot in length, was eſteem'd a moderate Size: But of late theſe long Guns are entirely diſuſed, unleſs it be in the killing of Water-Fowl. And a Piece of about three Foot and a half long in the Barrel, by a more perfect Mixture of the Metal, and skilful Boring, will do more Execution in the Purſuit of Land-Fowl, than your long Guns; and no Body is unſenſible that it is leſs Labour and Fatigue to the Bearer.

Many Perſons, who are unacquainted with the Diverſion of Fowling, are for making choice of the lighteſt Piece for their Purpoſe. But, I take it, I have no reaſon to caution the labouring Sportſman in this Particular; the Hazard he runs in the burſting of the Gun, and the Nicety he is obliged to obſerve in his Charges, even ſometimes to the Loſs of his Game, will ſufficiently diſcourage him from the Election of ſuch a Piece.

And I need not inform the Sportſman, that his Gun for ſhooting Flying ought to be of a wide Bore, a ſmall Matter under a Muſquet.

Powder and ſhot.

In the Choice of your Powder, let it be by no means old; for Age, eſpecially if it be kept in a damp Place, very much impairs its Strength. And for the Prevention of the pernicious Effects of Damps, it is neceſſary that the Powder be ſometimes dried by the Fire in a Paper, or otherwiſe, and that the ſame be ſifted through a fine Sieve, to ſeparate from it the Duſt; which not only detri-

ments

ments the Efficacy of the Powder, but alſo fouls your Piece at the ſame Time.

Powder being of an Azure Colour, ſomewhat inclining to Red, is a Sign of its being good Powder; if it be very black, it is either over-moiſt, or has too much Charcoal in it. And you may know Powder by touching: For if it eaſily cruſhes into Duſt, it has too great a Quantity of Coal; but if it feels hard, it is a certain Sign of its Goodneſs, and this Powder may be depended upon.

Let your Shot be of a moderate Size; for when Shot are either over-large or ſmall, you find an ill Conſequence attending; as, if it be too great, then you'll find it ſcatter too much; and if it be too ſmall, you will meet with Diſappointment when you fire at large Fowl: Though ſmall Shot is always uſed when you ſhoot Flying.

Having provided your Fowling-Piece, Powder, and Shot, with the ſeveral Inſtruments and Conveniencies neceſſary for the ſame, and you are abroad within Sight of Game, carry your Piece always cock'd, and obſerve to chuſe your Station in a Place of Shelter, as much as you can, to conceal you from the penetrating Sight of the Birds, which is very extraordinary for their Preſervation; and if you have not Shelter enough, by reaſon of the Nakedneſs of the Banks, and want of Trees, you will be oblig'd to creep upon your Hands, and ſometimes to lye flat upon your Belly, and ſo take your Aim. And in Shooting, take care to ſhoot with the Wind, if poſſible; and rather ſide-ways, or behind the Fowl, than to meet them.

Obſervations on Shooting.

The true Level on the Ground or Water, is to have the Sight of the Piece equal with the Head of the Fowl; and you muſt keep your open Eye ſo ſteady, and the But-end ſo faſt to your Shoul-

der, that when the Gun is diſcharg'd, it may remain perfectly unmov'd; and by this means you'll ſee your Sport drop at the End of your Piece.

If you ſhoot into a Flock of Fowl, it is beſt to take them on the Wing, juſt riſing: And if any eſcape a Shot on the Ground, then you are at the greateſt Certainty in levelling three Yards from the Ground, a little inclining the Muzzle of your Piece to that Way which their Heads ſtand: But you muſt in this Caſe fire as ſoon as he on the Ground hath pulled his Tricker, and the Pan of his Piece flaſhed.

When you ſhoot at a Flock of Birds on the Ground, level your Piece at the Centre or Middle of the Flock, and let the particular Bird you aim at be hid with the Muzzle of the Piece. And if you ſhoot Flying at a Flock, meet them if you can, and raiſe the Muzzle of your Piece ſlanting, or riſing by Degrees upwards, that you may take the undermoſt, and ſhoot ſlantwiſe through them; ſo that the Shot that goes free, may fly higher than the Rear of the Birds.

If you ſhoot at Fieldfares, Thruſhes, Lapwings, &c. that run on the Ground, you are to take notice which way they bend their Courſe; and when they have gather'd from their Spreading, fire with a level Aim at the higheſt Part of thoſe foremoſt, that are next to you, and the others running on will fall in with the Shot. And when you ſhoot at Birds on the Wing a conſiderable Diſtance from you, and your Station is ſuch that you are to level your Piece ſideways, raiſe your Piece ſo that it may be equal with their Flight: And if the Birds be out of reach, fire as at a Mark about ſix Yards before, and then the Shot will take them as they are paſſing; for if you aim directly at the Bird ſideways, it will

will be paſt away before the Shot can reach her.

If Game fly over your Head, it is beſt to aim at their Heads; and if they fly from you, it is beſt to aim as it were under their Bellies. And in all Caſes of ſhooting flying, it is the ſureſt Method to let the Game fly a little paſt you before you ſhoot; there being many a good Shot loſt by an over-haſty Diſcharge of the Piece.

In Shooting, let your Dog be under good Command, at your Heels, not daring to ſtir 'till you bid him, and having then firſt diſcharg'd your Piece: For otherwiſe an ill taught Dog will, upon the Snap of the Cock only, without firing, ruſh out, and ſpoil your Expectations.

Dogs. In reſpect to your Choice of Dogs for Sport; if it be a Water-Dog, chuſe him of Hair long and curled, but not looſe and ſhagged; his Head ought to be round and curled, his Ears broad and hanging, his Eye full, lively and quick, his Noſe very ſhort, his Lip like to that of a Hound, his Chaps furniſh'd with a full Set of ſtrong Teeth, his Neck thick and ſhort, his Breaſt ſharp, his Shoulders broad, his Fore-legs ſtraight, his Chine ſquare, his Buttocks round, his Belly gaunt, his Thighs brawny, &c.

The Whelps of theſe Dogs cannot be too early taught to couch, and lye down; for the eaſy teaching whereof, let them have no more Correctors than one. You muſt then teach your Dog to fetch and carry; and being perfect therein, teach him by Degrees to go back and fetch any Thing privately drop'd, and to carry dead Fowl. In the next Place, enure him to an orderly Leading in a String or Collar. And after this, you are to teach him to come cloſe to your Heels without leading; and to train him up for your Gun ſo

as to make him ſtalk after you Step by Step, or elſe couch and lye cloſe 'till you have ſhot.

Your Setting-Dog you may chuſe either a Land-Spaniel, Water-Spaniel, or Mungrel of them both, the Lurcher, or ſmall Baſtard Maſtiff; but the Land-Spaniel is preferable to any other. Let him be of a good Size, not over-large for Activity, and rather ſmall than large, being of a couragious Temper. If you chuſe a Whelp, let it be from a ſtrong, luſty, and nimble Ranger, of active Feet, wanton Tail, and buſy Noſtrils.

When the Whelp is about four Months old commence your Inſtructions, wherein the firſt Thing you are to teach him is Familiarity, to love you, and know you from any other Perſon; and the better to effect this, let him receive his Food from no other Hand but your own.

When the Dog is ſo taught that he knows your Frown from your Smile, and ſmooth Words of Command from rough ones, you are in the next Place to teach him to couch and lye down cloſe to the Ground; and when he hath done any Thing to your Satisfaction, beſtow upon him a ſmall Feed; and if otherwiſe, chaſtiſe him with Words, but uſe Blows as ſeldom as you can.

Then you are to teach him to come creeping unto you upon his Belly, with both Belly and Head cloſe upon the Ground: Wherein you are to obſerve in his creeping to you, whether he raiſes his Body or Head; and if he does, you are to thruſt the riſing Part down, and to threaten him with an angry Voice; which if he ſeems to diſregard, then you are to diſcipline him with a ſharp Jerk of a Whipcord.

His Leſſons cannot be too often renew'd, 'till he comes to Perfection: And if when you are abroad with him, he takes a Fancy to range, when

when he is moſt buſy, and in the Height of his Paſtime, ſpeak to him, and make him lye cloſe, and after that make him come creeping to you, ſo that you may have him under an abſolute Command.

After your Dog is taught the ſeveral Things before recommended, teach him to lead in a String: And by this Time the Dog may be a Twelve-month old, when at a fit Seaſon of the Year, take him into the Field, and permit him to range under due Command. As ſoon as you ſee him come upon the Haunt of any Partridge, (which you may know as well by his greater Eagerneſs in hunting, as by a kind of Whimpering and Whining in his Voice, being ſtrongly inclin'd to open, but not daring,) you are to ſpeak to him, bidding him take heed, or the like: And if notwithſtanding he ruſhes in, and ſprings the Partridge, or opens, and ſo the Partridge eſcape, you are then to correct him ſeverely, and to caſt him off again, and let him hunt in ſome Haunt where you know a Covy of Birds lye, to obſerve whether he has amended his Fault.

And if you catch any Birds, give him the Heads, Necks, and Pinions, for his Encouragement.

There is not any Creature irrational more loving to his Maſter, nor more ſerviceable, than a Dog, enduring Blows from his Hands, (eſpecially the Spaniel,) and uſing no other Means to pacify his Diſpleaſure than Humiliation and Proſtration, which, after beating, turneth a Revenge into a more ardent Love.

When the Sportſman is furniſh'd with a Gun for his Purpoſe, and Powder and Shot as before recommended, and alſo with a Dog that may be depended upon, the next Thing he is to be acquainted with is the Haunts of Fowl.

Haunts of Fowl.

The larger Sorts of Fowl, which divide the Foot, are generally to be found on the Edge of ſhallow Rivers, Brooks, and Plaſhes of Water: They likewiſe delight in low and boggy Places, the dry Parts of drowned Fens which are over-grown with tall Ruſhes, Reeds, and Sedge; and in half drowned Moors, or the hollow Vales of Downs, Heaths, or Plains ſhelter'd either with Hedges, Hills, Tufts of Buſhes or Trees; where they may lurk obſcurely, and may be found in great Plenty. And theſe make not their Appearance in Flocks, but you ſee here one ſingle, there a Couple, and the like.

The leſſer Fowl, which are Web-footed, continually haunt drowned Fens, where they have a conſtant Supply of Water, and may ſwim undiſturb'd. They likewiſe haunt in the main Streams of Rivers, where the Current is ſwifteſt, and leaſt ſubject to freeze; and the broader and deeper ſuch Rivers are, the greater Plenty of Fowl is to be found, the Wild Gooſe excepted, which frequents no Waters above its Sounding. And as theſe Fowl delight extreamly in green Corn, ſo they are be met with where ſuch Grain is ſown near Plenty of Water.

Theſe Fowl likewiſe delight in ſmall Rivers, Brooks, Ponds, drowned Meadows, Moors, Meres, Plaſhes, and Lakes, eſpecially if they are well ſtor'd with unfrequented Iſlands, and well furniſh'd with Shrubs, Buſhes, Reeds, &c. when they will conſtantly haunt there, and breed at all Times in the Year.

I need offer no farther Inſtructions to the Country Gentleman in purſuit of his Sport with the Gun and Spaniel; Labour and Obſervation only muſt make him compleat. But I ſhall here preſent

ſent him with the ſeveral Laws and Statutes relating to Guns, Dogs, *&c.* whereby he'll be inform'd of his own Capacity to kill Game, and the Incapacity of others. So that he may be enabled not only to purſue his Diverſions with Chearfulneſs and Satisfaction, but alſo to ſuppreſs Pochers, and other unlawful Deſtroyers of the ſame.

Laws and Statutes relating to Guns, Dogs, &c.

I ſhall begin with the ancient Statutes: By *Stat.* 33 *Hen.* 8. *cap.* 6. it is enacted, That no Perſon ſhall ſhoot in, or keep in his Houſe any Croſs-Bow, Hand-Gun, Hackbut, or Demihake, who hath not Lands of 100 *l. per Ann.* under Pain of 10 *l.* except the Followers of Lords Spiritual or Temporal, Knights, Eſquires, Gentlemen, Inhabitants of Cities, Boroughs, or Market-Towns, who were allow'd by this Act to keep in their Houſes Hand-Guns of a Yard in Length, and Demihakes of three Quarters; but not to ſhoot in ſuch at dead Marks only. And the Owners of Ships, or Perſons dwelling two Furlongs from a Town, or within five Miles of the Sea-coaſt, *&c.* may alſo keep ſuch Guns: And theſe laſt may ſhoot at any Wild Beaſt or Fowl, except Deer, Heron, Shovelard, Pheaſant, Partridge, Wild Swan, *&c.* And he that hath Lands, *&c.* of 100 *l. per Ann.* may ſeize Croſs-Bows and Hand-Guns of Perſons not qualified, and break them.

None under the Degree of a Baron ſhall ſhoot in any Hand-Gun within a City or Town at any Fowl whatſoever, or with any Hail-ſhot, on Pain of 10 *l.* and three Months Impriſonment. *Stat.* 2 *&* 3 *Edw.* 6. *cap.* 14.

By *Stat.* 3 *Jac.* 1. *cap.* 13. No Perſon not having 40 *l. per Ann.* in Lands, or 200 *l.* in Goods,

or ſome Incloſed Ground for Deer or Coneys worth 40 *s. per Ann.* ſhall uſe Gun, Bow, or Croſs-Bow, to kill Deer or Coneys, nor keep Buckſtale, Ferret, Dog, Net, or other Engine. And any Perſon having Lands worth 100 *l. per Ann.* may ſeize ſuch Gun, *&c.* and keep the ſame for his own Uſe.

By *Stat.* 7 *Jac. c.* 11. Shooting at Duck, Growſe, Heron, Heathcock, Mallard, Pheaſant, Partridge, Teal, Widgeons, Pigeons, *&c.* incurs a Penalty of 20 *s.* for every Pigeon kill'd, or the Offender ſhall be committed for three Months.

The Statute of 22 & 23 *Car.* 2. enacts, That Perſons not having Lands, or ſome other Eſtate of Inheritance in their own or Wife's Right, of 100 *l. per Ann.* or for Life or Leaſe of 99 Years of 150 *l. per Ann.* (other than the Son and Heir of an Eſquire, or other Perſon of higher Degree, or Owners and Keepers of Foreſts, Chaſes, Parks, or Warrens,) ſhall not be allow'd to keep Guns, Greyhounds, *&c.*

And by this Act Lords of Manors, or other Royalties, not under the Degree of an Eſquire, may, by Writing under Hand and Seal, authorize one or more Game-keepers, to ſeize Guns, Bows, Greyhounds, Setting-Dogs, Lurchers, or other Dogs to kill Hares or Coneys; Ferrets, Tramels, Low-Bells, Hays, or other Nets, Hare-pipes, Snares, or other Engines for taking Coneys, Hares, Pheaſants, Partridges, or other Game, uſed within ſuch Manors by Perſons prohibited by this Act to uſe the ſame. And ſuch Game-keepers, or others, by Warrant from one Juſtice, may ſearch the Houſes of Perſons ſuſpected to keep Guns, *&c.* and ſeize them for the Uſe of the Lord of the Manor, *&c.*

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I am now come to the Laws relating to Dogs: And Firſt, The *Stat.* 13 *Rich.* 2. enacts, That no Layman not having Land of 40*s. per Ann.* nor Clerk not having 10 *l. per Ann.* Revenue, ſhall have or keep any Greyhound, Hound, Dog, Ferret, Net, or Engine, to deſtroy Deer, Hares, Coneys, or any other Gentleman's Game, under the Penalty of one Year's Impriſonment. And none ſhall hunt with Spaniels in ſtanding Corn on Pain of 40*s.* *Stat.* 23 *Eliz. c.* 10.

There are four Kinds of Dogs which the Law regards, *viz.* a Maſtiff, a Hound, (which comprehends a Greyhound,) a Spaniel, and a Tumbler.

By *Stat.* 1 *Jac.* 1. *c.* 27. the Perſons qualified to keep Greyhounds, Setting-Dogs, or Nets, to take Deer, Hare, Pheaſant, or Partridge, are declared to be ſuch as have Inheritance of 10 *l. per Ann.* Leaſe for Life of 30 *l. per Ann.* or as are worth 200 *l.* in perſonal Eſtate, the Sons of a Baron or Knight, or Heir apparent of an Eſquire. And every other Perſon convicted by Confeſſion, or the Oaths of two Witneſſes before two Juſtices, of keeping ſuch Greyhounds, *&c.* ſhall ſuffer three Months Impriſonment, unleſs he pay 40*s.* to the Uſe of the Poor.

By *Stat.* 4 & 5 *W.* & *M.* Conſtables, *&c.* may by a Juſtice's Warrant ſearch the Houſes of ſuſpected Perſons: And if they find any Game-Dogs in the Poſſeſſion of Perſons not qualified, they muſt carry them before a Juſtice of Peace; and if they do not give a good Account how they came by ſuch Dogs, they ſhall pay not under 5*s.* nor exceeding 20*s.* for every Dog, *&c.*

And the Statute of 5 *Anne*, enacts, That if any Perſon, not qualified by Law, ſhall keep or uſe any Greyhounds, Setting-Dogs, Lurchers, Tunnels, or any other Engine, to kill and deſtroy the

the Game, he ſhall forfeit 5 *l.* half to the Informer, and half to the Poor of the Pariſh where the Offence was committed, to be levied by Diſtreſs; and for want of a Diſtreſs, the Offender to be ſent to the Houſe of Correction for three Months.

Law Caſes. In an Indictment for ſhooting of Game, upon an Omiſſion of ſhewing that the Party was not worth 100 *l. per Ann.* it was order'd to be ſhewed on the other Side that he is worth ſo much to diſcharge him. The King againſt *Woolf*, 2 *Keb.* 582.

On a Conviction for keeping of Guns without a legal Qualification, the Offender may not be puniſh'd by Juſtices of Peace, for they have no Cognizance of the Matter ſince the Peace is no ways concern'd; but the Party may be indicted for this Offence before the Juſtices of *Oyer & Terminer*, though not before the Juſtices in their Seſſions, for want of Juriſdiction. King againſt *Alſop*, 4 *Mod.* 49.

Action on the Caſe lyes on a Promiſe to deliver a Lurcher ſold. 1 *Keb.* 680. And Trover and Converſion lyes of a Spaniel-Dog, refus'd to be deliver'd when reclaim'd. *Pells* and *Lemon*, *Hobart* 363.

Treſpaſs lyes for a Greyhound: And Plea by the Defendant that the Dog was courſing the Hare in his Land, is frivolous. *Cro. Jac.* 463. But Plaintiff, in an Action on the Caſe, declared that he was poſſeſſed of a Greyhound *ut de bonis ſuis propriis*, and that ſuch a Day he loſt it, and that it came to the Hands of the Defendant by Trover; and that the Defendant afterwards, in Conſideration thereof, promis'd to deliver the ſaid Greyhound to the Plaintiff. *Per Cur'*, The Action doth not lie; becauſe *Feræ Naturæ*, of which Sort

Sort of Beaſt the Plaintiff hath not Property; but it will lie *Ratione fundi.* 3 *Leon.* 219. *Ireland* and *Higgins.*

The Beſt Ways *in general of Taking large and ſmall Fowl with* Nets, Snares, *&c.*

I Now proceed to ſome Obſervations relating to Nets, and the Taking of Birds in general, before I come to the particular Management in Taking the various Kinds of Fowl.

And the firſt Thing to be taken care of is the Making your Nets; which muſt be of the beſt Packthread, and have, for large Fowl, Meſhes at leaſt two Inches from Point to Point: For the larger the Meſhes are, ſo that the Fowl cannot creep through them, the more certainly will the Nets entangle your Game.

The Dimenſions of your Net ought not to exceed two Fathom in Depth, and ſix in Length, which is the largeſt Quantity a Man is able to manage. And let your Net be verged on the Sides with ſtrong Cord, extended at each End upon Poles made for that Purpoſe.

When you lay your Net, you muſt ſpread it ſmooth upon the Ground, ſtaking the two lower Ends firm thereon; let the upper Ends ſtand extended upon the long Cord, the farther End thereof being ſtaked faſt down to the Earth two or three Fathom from the Net; and let the Stake which confines down the Cord ſtand in a direct Line with the lower Verge of the Net, the Diſtance

ſtance ſtill obſerved. Then the other End of the Cord, which muſt be at leaſt ten or twelve Fathom long, the Fowler is to hold in his Hand at the utmoſt Diſtance, where he ought to make ſome artificial Shelter to conceal himſelf from the Sight of the Fowl. And it is likewiſe convenient to ſtrow over your Net, as it lies upon the Ground, a ſmall Quantity of Graſs, to hide that likewiſe from the Birds.

Land-Fowl of ſeveral Sorts together may be taken either by Day or Night. And herein you are to obſerve the Morning and Evening Haunts of Fowl for Feeding, and conſider that after the Sun is an Hour high in the Morning, and on the Approach of Twilight at Night, their Feeding is over.

Day-Nets. If you purſue your Sport by Day, it is done with the great Net, commonly called the Crow-Net. This Net you may lay before Barn-Doors, or where Corn hath been winnowed, alſo in Stubble Fields, concealing the Net ſo that the Fowl may not diſcern the Snare. And when you perceive a Quantity of Birds within the Compaſs of the Net ſcraping for Food, being concealed with the Cord in your Hand, you are to pull the Net over them as quick as is poſſible; for the leaſt Deliberation after the Net is raiſed, will diſappoint you in your expected Sport.

The Day-Net is generally uſed for the taking of Larks, or other ſmall Birds which fly in the Air; and ſuch will drop either to Stale, Glaſs, *&c.* Though it may be ſometimes neceſſary to bait the Place with the Foods the Birds moſt delight in.

The Meſh of theſe Nets ought not to be above half an Inch ſquare; the Length to be about three

three Fathom, and the Breadth not to exceed one Fathom. And theſe Nets being ſtaked down, at the upper End of the foremoſt Staves you are to faſten Hand-Lines, or Drawing-Cords, which muſt be at leaſt a Dozen, a Fathom long.

When your Nets are laid early in the Morning, ſome twenty or thirty Paces beyond them place your Decoys upon ſome pearching Boughs. And out of the firſt Birds you take, reſerve half a Dozen alive for Stales; and for that Purpoſe you ought to provide a Cage, or other Convenience.

The Seaſon for theſe Nets is from *Auguſt* to *November:* And the Place you elect ought to be plain and champain, either on Barly Stubbles, Green Lays, or flat Meadows, adjoining to Corn-Fields, and remote from any Village.

If you intend to take Fowl by *Night-Nets.* Night in a plain and champian Country, you muſt uſe the Low-Bell from the latter End of *October* until *Lady-Day*, and to do it in the following Manner: The Day being ſhut in, and the Air mild, without Moon-ſhine, take a Low-Bell of a deep and hollow Sound, and with it a Net twenty Yards in Meſh every Way, and go into any Stubble Corn-Field, but Wheat is the beſt. The Bell is to be carried before, tolling diſmally; afterwards follows the Net born up at each Corner, and on each Side by ſeveral Perſons. Then another Perſon muſt carry ſome Iron or Stoney Veſſel, which is to contain burning, but not blazing Coals, and at theſe you muſt light Bundles of Straw, or you may carry Links with you. And having pitch'd your Nets where you think the Game lies, beat the Ground, and make a Noiſe, and as the Fowl riſe, they will be entangled in the Net.

When you have drawn your Net, extinguiſh your Lights, and proceed to laying your Net in ſome other Place; and you muſt be very ſilent, that nothing may be heard but the Sound of the Low-Bell 'till the Net is plac'd, and the Lights blazing. The Noiſe of the Bell makes the Birds lye cloſe, ſo as they dare not ſtir whilſt you are pitching the Net, and the Sight of the Fire is ſo terrible to them, that it makes them inſtantly take Wing, and ſo they are enſnared.

The Trammel is much like this Net for the Low-Bell; and with theſe Nets you may take good Store of Partridge, Rails, Larks, *&c.*

Nets for Water-Fowl. For the taking of ſmall Water-Fowl, you are to pitch your Nets for the Evening Flight before Sun-ſet, ſtaking them down on each Side of the River about half a Foot within the Water, the lower Side of the Net being ſo plumb'd, that it may ſink to that Depth, and no further. Let the upper Side of the Net be plac'd ſlantwiſe, ſhoaling againſt the Water, yet not touching the ſame by near two Foot; and let the Strings which ſupport this upper Side of the Net be faſten'd to a ſmall yielding Twig or Pitcher, which, as the Fowl ſtrikes, may give Liberty to the Net to run and entangle them. In this Manner place ſeveral Nets over different Parts of the River; and if any Fowl drop on the River that Night, you'll find a Share.

And for your better Succeſs, take your Gun, and go to all the Fens and Plaſhes that are a good Diſtance from your Nets, and diſcharge it ſeveral Times; which will ſo affright the Fowl, that they will inſtantly betake themſelves to the Rivers. Then plant your Nets upon theſe Fens and Places, and in the Morning, when you take up your

your Fowl in the River, diſcharge your Gun there likewiſe, to force them to your Snares in the Fens. By which Means you'll take them every Way.

Laws relating to Nets.

There are ſeveral Laws relating to Nets: The *Stat.* 23 *Eliz. cap.* 10. enacts, That if any Perſon ſhall with Nets, or any other Engines, take and deſtroy Pheaſants or Partridges in the Night-time, he ſhall be liable to the Penalty of 20 *s.* for every Pheaſant ſo taken, and 10 *s.* for every Partridge. And if the Penalty be not paid within ten Days after the Offence committed, the Offender ſhall ſuffer one Month's Impriſonment without Bail, and enter into Bond, with good Sureties, before a Juſtice of Peace, not to offend in the ſame Kind for two Years. The Forfeiture to be divided between the Lord of the Manor and the Proſecutor: But if the Lord diſpences with the Offender, the Poor of the Pariſh ſhall have his Moiety; to be recovered by any of the Churchwardens.

Perſons of mean Condition uſing Nets or Setting-Dogs to deſtroy Pheaſants or Partridges, on Conviction before two Juſtices, ſhall be committed to the Common Gaol for three Months, without Bail, unleſs the Offender ſhall pay the Sum of 20 *s.* for the Uſe of the Poor, for every Pheaſant or Partridge he ſhall deſtroy, and alſo become bound in a Recognizance of 20 *l.* Penalty not to offend for the future. *Stat.* 7 *Jac.* 1. *cap.* 11.

By the Statute of 4 & 5 *W.* & *M.* Perſons not qualified by Law keeping or uſing Hays, Nets, Lurchers, Setting-Dogs, Ferrets, Tunnels, Low-Bell, Hare-Pipes, or other Inſtruments, for the Deſtruction of Game, and not giving a good Ac-

Account how they came by the ſame, being thereof convicted before a Juſtice of Peace, ſhall forfeit any Sum not exceeding 20*s.* or under 5*s.* one half to the Informer, and the other half to the Poor of the Pariſh where the Offence was committed, to be levied by Diſtreſs and Sale of Goods, *&c.* And for want thereof to be committed to the Houſe of Correction for a Month.

And the *Stat.* 9 *Anne*, enacts, That if any Perſon between the Firſt Day of *July* and the Firſt of *September* yearly, (the Moulting Seaſons) ſhall drive and take any Wild Duck, Teal, Widgeon, or other Water Fowl, with Hays, Tunnels, or other Nets, in any of the Fens, Lakes, broad Waters, or other Places of Reſort for Wild Fowl, the Offender being convicted before a Juſtice of Peace by the Oath of one or more credible Witneſſes, ſhall forfeit for every Wild Duck, *&c.* the Sum of 5*s.* one Moiety to the Informer, and the other to the Poor of the Pariſh, to be levied by Diſtreſs; and for want of Diſtreſs, the Offender to be committed to the Houſe of Correction, and kept at hard Labour for any Time not exceeding a Month, nor leſs than fourteen Days, and the Hays, *&c.* ſeized to be immediately deſtroyed.

How to take Pheaſants, Partridges, Rails, Quails, *&c. with Nets, Dogs, and otherwiſe.*

THE firſt Thing to be taken notice of, relating to Pheaſants, is their Haunts; wherein you will obſerve that they delight in thick young Coppice

Coppice Woods, that are large and ſhady, and unfrequented. In the Day-time you may find their Haunts by looking under the Trees, and upon the Boughs in the Night; and at certain Seaſons you may know where to find them by the Crowing of the Cock Pheaſant. If in the Breeding-time, you may find them by the Cock's calling early in the Morning, and late in the Evening. But the moſt certain Way of finding them out is to have a natural Pheaſant Call, by being Maſter of their ſeveral Notes; as the Call to cluck the Young together, another to chide them when they ſtraggle too far, a third to call them to Meat, a fourth to make them look out for Food themſelves, and a fifth to call them together for Sporting. And the beſt Time for uſing theſe Calls is either in the Morning early, or the Evening juſt about Sun-ſetting, when the Notes muſt be to cluck them together to brood.

Being acquainted with your Notes, and how to apply them, and likewiſe the Haunts of your Game, you are to be in the next Place provided with a Net of double-twin'd Brown Thread, dyed either Blue or Green, the Meſhes whereof about an Inch between Knot and Knot. Let the Length of it be about three Fathom, and the Breadth about ſeven Foot, verged on each Side with ſmall, but ſtrong Cord, with the Ends of the Net ſo contriv'd, that it may lie compaſs-wiſe and hollow.

After you are furniſh'd with your Materials; repair to ſome obſcure, dark, and ſolitary Situation, where the Underwood is of the greateſt Strength, and hide your ſelf; then begin to call low at firſt, and raiſing your Note by Degrees, ſo as not to over-ſtrain it. If you are within hearing, you will be anſwer'd in a little Time:

And

And if you are anſwerd by a ſingle Bird from a Diſtance, advance nearer in a creeping Poſture, as the Pheaſant will do to you; and as you come nearer, lower your Note in Imitation of the Bird's; and when you ſee her on the Boughs or Ground, and ſhe is prying to find you, ceaſe calling, ſpreading your Net privately at the ſame Time (without making the leaſt Noiſe, and with the utmoſt Expedition) in the moſt convenient Place between you and the Fowl, and upon the loweſt Buſhes and Shrubs, fixing one End faſt to the Ground, and the other End by a long Line held in your Hand; ſo that when it is the leaſt ſtrained, you may draw it cloſe together. Then call again; and when you perceive her come juſt under your Net, riſe on a ſudden; whereupon ſhe will flutter up, and be inſtantly entangled.

When you hear many Anſwers to your Call from ſeveral Quarters, alter not your Situation, but continue in the ſame Place, and prepare your Nets, and ſpread them afreſh as they come near you, one Pair of Nets on one Side, and another on the other Side; then lye cloſe, and apply your ſelf to the Call as before directed.

To drive young Pheaſants.

For the Driving of young Pheaſants, prepare your Inſtrument, called a *Driver*, of ſtrong White Wands, or Oſiers, ſet faſt in a Handle, and twiſted about in two or three Places with other Wands, making the Shape of the Inſtrument uſed in dreſſing of Cloth. And having found out an Eye of Pheaſants, (taking the Wind with you), fix your Nets croſs the little Pads and Tracks they have made, which you may eaſily diſcover, advancing as near as may be to ſome noted Haunts; then place your Nets hollow, looſe, and circular-wiſe, the nether Part thereof being

being faſten'd to the Ground, and the upper Part lying hollow, and bending ſo that it may with Facility fall and entangle your Game when they ruſh into it.

This done, you are to go before to the Place where you made Diſcovery of the Haunt, and there with your Call you muſt call them together, if they are ſeparated: Then with your Driver you muſt make a gentle Noiſe, raking upon the Boughs and Buſhes round about you, (but concealing your ſelf from the Sight of the Pheaſants,) and as ſoon as the Pouts hear the Noiſe, they will immediately run from it a little Way; then give another Rake, at which they will repeat their Running. And by a Continuance of your raking leiſurely, you may drive them before you like a Flock of Sheep.

If in driving the Pheaſants you find any Surprize amongſt them, ſo that there is Danger of their running into Holes, or of their taking Wing, (which you may perceive by their frightful Gazing about,) ceaſe your Raking, and be ſilent 'till you obſerve by their Cluck and Peeping that they have recover'd their Fears; when you may proceed with Aſſurance of Succeſs.

The Haunts of theſe Birds may be diſcover'd by their Dung, and the Barrenneſs or Beating of the Ground.

Other Methods of taking of Pheaſants, &c.

There is another Method of taking Pheaſants or Partridges with Nets, which I ſhall briefly mention. When you perceive an Eye of Pheaſants, or a Covey of Partridges haunt any Ground, go thither, and in ſome Part thereof, diſtant from any Hedge, Buſh, or Gate, about forty or fifty Paces, pitch up four Sticks, each a Foot long, in a Square, and ſcatter a ſmall Quantity

tity of Barley or Wheat in the Midſt; likewiſe ſcattering ſome looſe Corns through the Ground, as a Train to entice the Game to the Heap in the Midſt of the Sticks againſt the Morning; the next Day place a Furze-Buſh to every one of the four Sticks; and if they eat the ſecond Time (which may be diſcern'd by their Dung) notwithſtanding the Furze-Buſhes, then againſt their next coming croſs ſome Lines of Packthread in Form of a Net; and if they then continue to come, you may be ſure to take them by taking away the Sticks, Furze-Buſhes, and Packthread, and pitching a ſquare Net, ſtanding ſloap-wiſe, like a Penthouſe, and ſupported by ſmall Twigs in its ſtead. The beſt Time to wait their coming is at Day-break; and you are to lye conceal'd in a Buſh or Shelter, to draw your Net when they are all buſy eating the Bait.

The proper Seaſon of uſing Pheaſant-Nets is from the Beginning of *May* 'till the latter End of *October*.

Partridges. In reſpect to Partridges, I ſhall begin with the Way of taking them by the Help of the Setting-Dog; there being no Method ſo noble and excellent as this.

Having a Dog qualified for your Purpoſe, take him abroad with you to ſuch Places as are frequented by Partridges, and there caſt him off, obſerving that he beats his Ground thoroughly, and without Confuſion. When he is guilty of a Fault, you ought to call him in with a Hem, or check him by ſome peculiar Word deliver'd with a ſtern Air; whereby he will range with more Temper, often looking in his Maſter's Face for Directions.

When

When your Dog ſtops on a ſudden, or ſtands ſtill, you are to make in to him with the utmoſt Expedition, for he has then ſet the Partridge; and as you advance near him, command him to go on; but if he goes not, but lyes ſtill, or ſtands ſhaking of his Tail, now and then looking back, you may be aſſured the Birds are near; ſo that you are not to urge him further, but to walk faſt, caſting a careleſs Eye ſtraight before the Noſe of the Dog, and you'll ſee in what Diſpoſition the Covey lye.

The Covey ſo obſerv'd, you are to command your Dog to lye ſtill, and draw forth your Net, and prick one End on the Ground, and ſpread your Net all open, and ſo cover as many of the Partridges as you can; which being done, make a Noiſe, and the Partridges will ſpring up, and be entangled.

The Partridge-Net is ſhap'd and proportion'd like to the Pheaſant-Net, only the Meſhes muſt be ſomewhat ſmaller; and ſome Sportſmen would have this Net to be made a little broader and longer, for catching a greater Quantity. And indeed, the Net for a Covey ſhould be ſixteen or eighteen Yards long, and about four or five Foot deep, unleſs it be in Pairing-time; and then it ought not to exceed eight or ten Yards in Length, and four Feet in Depth.

If you have no Setting-Dog, you muſt find out the Birds either by your Eye, by the Cock's Call, and the Hen's Anſwering, or by their Call imitated in Notes, which laſt (as in the Caſe of the Pheaſant) is the beſt Way; and if they are near, you will be preſently anſwer'd, and you may draw them to you with Pleaſure.

When you have diſcover'd the Birds move off, and take a Circle round them; obſerve well the

Poſture

Poſture they lye in, but do it careleſly, and walk rather from than towards the Partridges, 'till you have trim'd your Nets, and got them ready; which done, you muſt draw in your Circumference leſs and leſs, 'till you come within the Length of your Net. Then pricking down a Stick about three Foot long, faſten one End of the Line of your Net, and make it faſt in the Earth as you walk about; for you muſt be in continual Motion: Then letting the Net ſlip out of your Hands, ſpread it open as you go, and ſo carrry it, and lay it all over the Partridges. And if they lie ſtraggling, that one Net will not cover them, then you are to ſpread another Net; which being done, ruſh in upon them, and they'll fly up, and be enſnared.

Driving of Partridges. For the Driving of Partridges, you are to provide an Engine in the Form of a Horſe, the Outſide whereof to be Canvas, and the Inſide to be ſtuffed with Straw, or other light Matter. Your artificial Horſe being got ready, you muſt repair with it and your Nets to the Haunts of Partridges, and having found out the Covey, and pitch'd your Nets below the Birds, you are to go above them with the Wind, and drive downwards, having your Face cover'd with ſomething green or blue, and carrying the Engine before you; wherein you are to obſerve not to ſtalk them over-haſtily, ſo as to raiſe them on their Wings, and they will then run naturally before you.

If they happen to run a contrary Way than to your Nets, you may croſs them with your Engine, and eaſily confine them to the Track you deſire. Your Nets muſt be pitch'd ſloap-wiſe and hovering.

The

The Haunts of Partridges are very various; ſometimes any Covert will ſerve them, and other times none at all. The Places they moſt affect are the Corn-Fields, eſpecially whilſt the Corn is growing. And they delight in Wheat-Stubble, when the Corn is cut, there being Grain left for their Feed, and a Covert for Shelter. They alſo love freſh and untrodden Barley-Stubble; and will lye in the Furrows unobſerv'd. When the Stubble-Fields are ploughed up, or over-ſoiled with Cattle in the Winter, Partridges reſort into the upland Meadows, and lodge either in the dead Graſs, or under Hedges. Sometimes they are in Coppices and Underwoods, where Corn-Fields are adjoining: And about the Harveſt-ſeaſon you'll find them in the Day-time in the Fallow-Fields adjacent to Corn-Lands; and in the Evening they feed among the Sheeves of Corn. The beſt Time of finding theſe Birds by the Eye in their Haunts, is either in the Morning early, or at the Cloſe of the Evening, when the Cock-Partridge will call aloud, and the Hen will anſwer; by which Means your Ear will direct you to them. And you may come near enough to have a Sight of them; for they are naturally a very lazy Bird, and unwilling to take Wing.

Rails, Quails, &c.

The Haunts of the Rail and Quail are much like thoſe of the Partridge; only the Quail loves at all Times the Wheat-Fields, and the Rail delights in long high Graſs.

They may be found likewiſe in the ſame Manner as the Partridge, by the Eye, the Ear, or the Call; to which laſt they liſten with ſuch Earneſtneſs, that you can no ſooner imitate their Notes, but they will anſwer them, and purſue the Call with the greateſt Eagerneſs.

The Notes of the Male and Female being very different, you are to be Maſter of both; and when you hear the Male call, you muſt anſwer in the Female's Note; and when the Female calls, you are to anſwer in the Note of the Male: And by this Means they'll not only run to you, but gaze and liſten 'till you have encompaſs'd them with your Net.

Theſe Birds are to be taken the ſame Way as the Partridge; but if you drive them, it is a very good Method to have ſome Cages of live Quails, to call the others to them as you drive; for theſe run more heady than Partridges: And to make them, when they advance near the Net, gather in a Body, ſtrow Millet, or ſome Seeds, which increaſing, will ſufficiently invite them to go on; or you may drive them by one going on one Side, and another Perſon on the other, ſhaking little Collars of Bells, but not making too great a Noiſe, leſt the Birds ſhould take Wing. And by this Means you'll eaſily enſnare them.

The Net for theſe Birds ought to be a Tramelling Net, and to be pitch'd before Day. The Fowl are to be driven ſoon after Day-light, or in a clear Moon-ſhiny Night.

To take Birds with Springes, Snares, &c.

The Springe is a Device for taking Fowl in the Winter only, when much Wet is on the Ground, or the Earth is cover'd with Snow, and is chiefly for taking Water-Fowl: Wherein, if the Water be frozen, by making Plaſhes there will be the greater Reſort of Fowl, and conſequently the greater Proſpect of Succeſs.

And in the Setting of this Engine, you are firſt as in all other Caſes) to obſerve the particular

Haunts

Haunts of Fowl, the Water Tracts they frequent; and where many Furrows meet in one narrow Paſſage, which afterwards divides it ſelf again into other Parts and Branches, you'll not fail in taking of Birds.

Theſe Things being mark'd, you are to take ſeveral ſmall ſhort Sticks or Twigs, and prick them croſs-wiſe athwart all the other Paſſages, half an Inch aſunder, making a ſufficient Fence to prevent the Birds paſſing any Way but one, which leads to your Snare: And if theſe Sticks ſtand but a handful above the Water, it will be ſufficient.

When you have thus ſtopp'd all the Paſſages but one, take a ſtiff Stick cut flat on one Side, and prick both Ends down into the Water, making the upper Part of the flat Side juſt to touch the Surface of the Water: Then make a Bow of ſmall Hazel or Willow, in the Faſhion of a Pear, at leaſt a Foot long, and about half a Foot broad at the broadeſt Part, and at the narrow End make a ſmall Nick. Then take a good ſtiff grown Plant of Hazel or Willow, without Knots, three or four Inches in Circumference at the Bottom, and one Inch only at the Top; then ſharpen the Bottom End, and at the Top faſten a ſtrong Loop of Horſe-hair, made of about one hundred Horſe-hairs well twiſted together, and ſo ſmooth, that it will run and ſlip at Pleaſure; and let the Loop be of the exact Quantity of the Hoop. Then near this Loop you are to faſten a little broad Tricker, within an Inch and a half of the End of the Plant, made equally ſharp at both Ends.

Theſe Things being prepar'd, you are to thruſt the bigger ſharp End of the Plant into the Ground cloſe by the Edge of the Water, the ſmall End, with the Hoop or Bow and Tricker, muſt be brought

down to the firſt Bridge, and the other End hung on a Peg driven into the Ground: And then the Hoop being laid, one End of the Tricker muſt be ſet upon the Nick of the Hoop, and the other End againſt a Nick made in the Bridge near the ſmall End of the Plant, which will keep the Plant ſtrongly bent down; and the Violence of its Bend will make the whole ſtick and hold together until the Hoop be mov'd. This done, lay the Swickle on the Hoop in ſuch Faſhion as the Hoop is proportion'd; and then your Spring is ſet.

By obſerving theſe Methods, and pitching little Sticks on each Side, making an impaled Path (which is to widen gradually as you go from the Springe) from the Hoop, the Fowl will be enticed to wade up to the Springe, which is no ſooner touch'd, but that Part of the Bird touching it is inſtantly enſnared, by the ſudden Riſing of the Plant.

The Springe for Woodcock, Snipe, Plover, and all leſſer Fowl, is made in this Manner, only varying in Strength in proportion to the Bigneſs of the Birds.

You may likewiſe take Woodcocks, *&c.* with Snares, which are no more than Sticks cut of about two Foot in Height, ſtuck faſt into the Earth, a little ſlanting to which are faſten'd Horſe-hair Lines with running Nooſes. They are to be fixed on the Sides of Furrows in Ground near ſome Coppice-Wood in Moonſhiny Nights, when the Corn begins to ſpring; and the Nooſes are to hang about three Inches from the Ground, being ſet about ten Foot diſtance one from another.

Herons. To take Herons, which are the greateſt Devourers of Fiſh of any Bird whatſoever, you may do it with a Bait in the following Manner: Get three or four ſmall Roaches

Roaches or Dace, and having a ſtrong Fiſh-hook, but not too large, with Wyre adjoining, draw the Wyre juſt within the Skin of the Bait on one Side for about half the Length of the Fiſh, beginning near the Gills, and then the Fiſh will live five or ſix Days. Then having a ſtrong Line of Silk and Wyre twiſted together, tie a round Stone of about a Pound Weight to the Line. Lay your Hooks in Water, not too deep for the Heron to wade, and if you colour your Line of a dark Green, you'll not fail to have the ravenous Bird in a few Nights, if he continues to frequent your Ponds.

The Diverſion of Hawking, by reaſon of the Trouble and Expence in keeping and breeding the Hawk, and the Difficulty in the Management of her in the Field, is in a great Meaſure diſus'd; eſpecially ſince Sportſmen are arriv'd to ſuch a Perfection in Shooting, and ſo much improv'd in the making of Dogs, which facilitates the Pleaſure in taking all Sorts of Game: I therefore ſhall take no Notice of it, but proceed [illegible] &c.

The Laws and Statutes relating to Pheaſants, &c.

By the Statute of 11 *Hen.* 7. *cap.* 17. none ſhall take Pheaſants or Partridges in another Man's Ground without Licence, under the Penalty of 10 *l.* to be divided between the Owner of the Ground and the Proſecutor.

If any Perſon ſhall ſhoot, kill, or take any Pheaſant, Partridge, &c. or ſhall take their Eggs, or deſtroy Hares, &c. with Pipes, or other Engines, and thereof ſhall be convicted by Confeſſion, or the Oaths of two Witneſſes, before two Juſtices, he ſhall be committed for three Months without Bail, unleſs he immediately pays to the Uſe of the Poor twenty Shillings for every Fowl,

Egg, &c. taken or deſtroyed. But after one Month's Commitment he may be releas'd on becoming bound with Sureties, in 20*l.* each, never to commit the like Offence for the future. *Stat.* 1 *Jac.* 1. *cap.* 27.

The ſame Statute enacts, That none ſhall buy or ſell again any Pheaſant, Partridge, Hare, &c. (except by them brought up, or brought from beyond the Seas,) under the Penalty of 20*s.* for every Pheaſant, and 10*s.* for every Partridge or Hare, to be divided between the Proſecutor and the Poor of the Pariſh where the Offence is committed.

The *Stat.* 7 *Jac.* 1. *cap.* 11. declares, That if any Perſon ſhall deſtroy any Pheaſant or Partridge between the Firſt of *July* and the Laſt of *Auguſt*, he ſhall be liable to a Penalty of 20*s.* for every Pheaſant and Partridge kill'd, or ſuffer one Month's Impriſonment without Bail.

By the *Stat.* 5 *Annæ*, *cap.* 14. it is enacted, That if any Higler, Chapman, Carrier, Inn-[illegible] in his or their Poſſeſſion any Pheaſant, Partridge, Moor, Heath-Game or Grouſe, or Hare, or ſhall buy, ſell, or offer to Sale any ſuch; every ſuch Higler, &c. or Carrier, (unleſs ſuch Game be ſent by Perſons qualified to kill the Game,) ſhall upon View, or Conviction by the Oath of one or more Witneſſes before one Juſtice of Peace, forfeit for every Hare, Pheaſant, Partridge, &c. the Sum of 5*l.* one Half to the Informer, and the other Half to the Poor; to be levied by Diſtreſs: And for want of Diſtreſs, the Offender to be committed to the Houſe of Correction for three Months. Proſecution to be within three Months.

The Statute of 9 *Annæ*, *cap.* 25. makes killing Pheaſant, Partridge, Moor, Heath-Game, or Grouſe,

Grouſe, in the Night-time, liable to the like Penalties, &c.

Heath-Game, Herons, &c.

For the Preſervation of the Red and Black Game of Grouſe call'd Heathcocks, or Heath Polts, the *Stat.* 4 & 5 *W.* & *M.* enacts, That no Perſon ſhall burn any Ling, Heath, Furze, Gorſe, or Fern on any Hills, Heaths, Moors, or other Waſtes, between the 2d of *February* and the 24th of *June*, on Pain of being committed to the Houſe of Correction not exceeding a Month, nor under ten Days, and there to be whipp'd, and kept at hard Labour.

By *Stat.* 19 *Hen.* 7. *cap.* 11. no Perſon ſhall take an old Heron out of the Ground of another, (unleſs it be with Hawking or the Long-Bow,) on Pain of 6*s.* 8*d.* nor take a young one out of the Neſt, on Pain of 10*s.*

And the *Stat.* 25 *Hen.* 8. *cap.* 11. enacts, That if any Perſon ſhall take away the Eggs of Heron, Bittern, or Shovelard, he ſhall forfeit for every Egg 8*d.* for every Egg of a Buſtard 1*s.* 8*d.* of a Mallard, Teal, or other Wild-Fowl, 1*d.* to be divided between the King and Proſecutor, and be impriſon'd for one Year. Juſtices of Peace to hear and determine theſe Offences, as in Caſes of Treſpaſs.

Caſes.

Treſpaſs lies for Pheaſants, though they are *Feræ Naturæ*; for after Verdict they ſhall be ſuppoſed to be dead, and then a Property may be in them; but when they are alive, there cannot be any Property ſettled in theſe Birds. *Uſher* and *Buſhell*, *Raym.* 16.

Treſpaſs was brought for entering another Man's Warren. The Defendant pleaded, That there was a Pheaſant on his Land, and his Hawk purſued it into the Plaintiff's Ground. This doth

not amount to a ſufficient Juſtification; for in this Caſe he can only follow his Hawk, and cannot take the Pheaſant. 38 *Ed.* 3. *Poph.* 162.

And agreeable to this is 2 *Roll. Abr.* 567. which ſays, That if a Man permits his Falcon to fly at a Pheaſant in his own Land, and ſhe purſues the Pheaſant into the Warren of another, and there takes him; yet he cannot juſtify the Entry into the Land of another to take the Falcon and Pheaſant.

Of Hunting the HARE, FOX, &c.

UNDER the Head of *Hunting*, to paſs by Encomiums on that noble Exerciſe, I ſhall begin with the Hunting-Horſe, the ſtatelieſt of Beaſts, and the Hounds uſed in the ſeveral Sorts of Huntings; and then I ſhall proceed to the Sport.

In the Choice of a Horſe for Hunting, take care that he be vigorous and full of Mettle, yet not fiery: Let his Shape be generally ſtrong, and well put together, making equal Proportions, which denotes Strength; and an unequal Shape (ſuch as a large Head and a ſmall Neck, a big Body and a thin Buttock, a large Limb to a little Foot, &c.) are certain Signs of Weakneſs.

Chuſe your Horſe of a large and lean Head, wide Noſtrils, open Chauld, a large Weaſand, and the Wind-Pipe ſtraight; one that gallops upon his Haunches, and grazes but lightly on the Ground with his Feet, not raiſing his Forefeet too high; carrying his Head lofty, without reſting too much on the Snaffle; and if he gives a little Snort

Snort with his Noſtrils every Stroke he makes, it is a ſure Token of a ſound Wind.

In the ordering of your Hunter, while he is at Reſt let him have all the Quietneſs that is poſſible; let him have a ſufficient Quantity of Meat, Plenty of Litter, and a great deal of Dreſſing, Water always near him, and let him ſleep at his Pleaſure. Obſerve to keep his Body open, rather ſoft than hard, and that the Dung be well colour'd and bright, for Dung of a dark Colour ſhews Greaſe, and Redneſs denotes inward Heat. After his uſual and neceſſary Scowrings, give him moderate Exerciſe, and Maſhes of Sweet Malt; or let Bread made of clean Beans, or Beans and Wheat mix'd together, be his beſt Food, and Beans and Oats beſtow'd on him as a common Feeding.

Some Gentlemen never take up their Hunting-Horſes to the Stable during the Seaſon, but hunt their Horſes upon a Graſs-Feed, giving them as many Oats as they will well eat when they uſe them. And this Method is approv'd, where Horſes are ſubject to Greaſe or a Defluxion of Humours; for if there be any molten Greaſe in your Horſe, violent Hunting will diſturb it, and his going to Graſs purge it off. And I have heard of ſome Gentlemen that have rid their Horſes a Buck hunting three Days in the Week, by this Management, during the whole Buck-ſeaſon, without any Injury to their Horſes, but rather Benefit: But Care muſt be taken to turn the Horſe to Graſs perfectly cool.

Hounds.

Hounds purſue their Game by the Scent; and ſo eager are they in their Sport, that they'll chuſe to ſwim Rivers, rather than not overtake their Prey.

The beſt Hounds for the Hare are the White Hounds, which are eſteem'd the quickeſt ſcented, and ſureſt nos'd. The Red Hounds for the Hart, and the Black ones for the Boar; but the Black Hound is the hardieſt and beſt able to endure the Cold. And for the Shape of your Hound, chuſe ſuch as have flat Noſes, ſmall Heads, having all their Legs of equal Length, the Breaſt not deeper than the Belly, and their Backs plain to the Tail; their Eyes quick, Ears hanging long, Haunches large, and Thighs well truſs'd; their Legs big, and Feet hard; their Tails nimble, and the Beak of the Noſe always to the Earth: And thoſe which are moſt ſilent, and bark leaſt, are to be preferr'd.

Thoſe Hounds which are good, when they have found the Hare, make Show thereof to the Huntſman by running more ſpeedily, and with Geſture of Head, Eyes, Ears, and Tail, winding to the Form or Hare's Muſe: They never give over Proſecution, at the ſame Time making an harmonious Noiſe. Some Dogs will ſtand ſtill when they have found the Game; others go forward without any Voice, or other Show of Ear or Tail; others again will wander up and down, barking at the Marks, and confound their own Foot-ſteps with the Beaſt's, *&c.* But theſe are ill Dogs, and not to be entertain'd by the ingenious Sportſman.

In the Weſt-Country, *Cheſhire*, *Lancaſhire*, and other Woodland and Mountainous Countries, you find a Breed of ſlow Hounds, which are large Dogs, tall and heavy. In *Worceſterſhire*, *Bedfordſhire*, and many well mix'd Soils, where the Champaign and Covert are equal, a middle-ſiz'd Dog, of a more nimble Compoſure, is produc'd. And in the North, as *Yorkſhire*, *Cumberland*, *Northumberland*, and many Champaign Countries,

Countries, are bred the light, ſwift, ſlender, and nimble-footed Hound. But the little Beagle, by ſome call'd the Blaze Hound, is moſt commonly uſed in *England*.

There are ſeveral Sorts of Harriers: Some for the Hare, ſome for the Fox; others for the Wolf, the Hart, the Buck, the Badger, and others for the Pole-Cat, the Weaſle, the Coney, *&c.* And the Terrier hunteth both the Fox and the Badger: But thoſe Dogs only are valuable which ſtick to one Sort of Game only. The Hound called Rache and Sluth-Hound in *Scotland*, are two Hunting-Dogs to be met with in no Part of the World but in *Great Britain*.

Theſe Hounds do not only chaſe their Game while it liveth, but being dead by any Caſualty, they alſo have Recourſe to the Place where it lies: But when the Hare makes frequent Leapings and Headings, *&c.* whereby there is great Difficulty for the Dog to retain the Scent, it is then requiſite to help the Hound with Voice, Eye, and Hand; and in Froſty Weather to allow a ſeaſonable Time, for then the Scent freezes with the Earth, ſo that there is no Certainty of Hunting 'till it thaws. And if it happens to rain after the Hare is ſtarted, it is beſt to ceaſe Hunting 'till the Water is a little dried up; for the Moiſture diſperſes the Scent of the Hare; but the dry Weather collecteth it again.

Hounds muſt be tied up 'till they hunt; yet ſo as they be let looſe a little now and then to eaſe their Bellies. And if your Hounds are young, you are firſt to teach them your Hollow, and the Sound of your Horn, which ſhould never be blown but when there is good Cauſe for it. And when they are about eighteen Months old, you are to lead them into the Fields once a Week,

Week, and no oftner, and they will eaſily learn their Buſineſs. But it is a good Way to teach your Hounds by taking a live Hare, and trailing her after you upon the Earth, ſometimes one Way, and then another, and ſo continuing to do ſome time, at laſt hide it in the Earth. Then ſet forth your Hound near the Trail, who, taking Wind, will run to and fro until he find which Way the Hare is gone, but with a gentle Pace until he comes near the lodg'd Hare, when he mends his Pace, and moves on more nimbly, 'till he comes to his Prey, and then he leaps on it, and kills it: And thereupon he is to be ſufficiently encouraged.

Hare-Hunting. The beſt Time to commence your Hare-Hunting is about the Middle of *September*, and to end it about the Cloſe of *February*. If you continue your Diverſion beyond that Time, you'll deſtroy the early Brood of Leverets: And the Sportſman ought to riſe very early, or elſe he'll be depriv'd of the Scent, on which his whole Pleaſure depends.

As ſoon as the Hare is ſtarted, you are to ſtep into the Place you ſaw her paſs, and hollow in the Hounds 'till they have all enter'd on the Scent, and are on it with full Cry. Then ſound the Horn, following ſoftly, and making as little Noiſe as may be; for at firſt Hounds are apt to over-ſhoot the Chace through too much Heat: But when they have run about the Space of an Hour, and you find your Hounds are well in with it, you may then come nearer with them, their Heat being by that Time cool'd, and they'll hunt more ſoberly.

You are particularly to mark the firſt Doubling, which is to be your Direction for the whole Day, all the Doublings ſhe makes after being like it, (wherein a Female Hare will uſe more Croſſings and

and Doublings than a Male, and ſeldom make out end-ways as the Male frequently does;) and according to her Windings, and the Situation you hunt in, you are to make your Compaſs greater or leſſer, always obſerving to make Choice of the moiſteſt and moſt commodious Place to fix the Scent of the Hounds.

If it be Rainy Weather, the Hare will hold the Highways more than at any other Time: And if ſhe comes to the Side of a young Grove, ſhe will ſcarcely enter, but ſquat down by the Side of it until the Hounds have over-ſhot her; when ſhe will return the ſame Way ſhe came to the Place from whence ſhe was ſtarted, and will avoid the Covert by reaſon of the Wet and Dew that hangs upon the Boughs. And for the ſecuring of the Hare in this Caſe, you need only ſtop a hundred Paces before you come to the Wood ſide, and you'll ſoon perceive whether ſhe returns: And if ſhe do, immediately call back and hollow in your Hounds.

Some Hares are ſo very ſubtile, that after they have been hunted ſome Hours, they'll ſtart a freſh Hare, and ſquat in the ſame Form, whereby the freſh Hare has been purſued by the Hounds: Others, after they are long hunted, will get upon Quick-ſet Hedges, and run a good Way on the Top thereof; then betake themſelves to Furze-Buſhes, leaping from one to another, ſo that the Dogs are balk'd: Others will climb Walls. And I have heard of ſome Hares that, as ſoon as they have heard the Noiſe of the Horn, though at a Diſtance, would quit their Forms, and repair to ſome Pool, and reſt themſelves there upon ſome Ruſhes in the Midſt thereof, (but ſuch as keep near the Waters are generally foul and meaſled.) Some Hares will take Ground, like Coneys; and others will enter a Flock of Sheep, and there hide

hide themſelves: Such are their various Ways of Preſervation.

If a Hare makes her Form either upon the North or South Wind, ſhe will not willingly run into the Wind, but run upon aſide or down the Wind. And a Hare hath greater Scent, and is more eagerly hunted by the Hounds, when ſhe feeds upon green Corn, than at any other Time of the Year; as the great Wood-Hares, and ſuch as are foul and meaſled, have naturally a ſtronger Scent than others.

If you have a Pack of young Hounds to enter, chuſe the Seaſon that is moſt temperate, in *September* and *October*; this being likewiſe a good Time to find young Hares that have never been hunted which are ignorant of the politick Croſſings, Doublings, *&c.* and do ſquat, and ſtart again oftentimes, whereby the Hounds are very much encouraged. When the Hounds are ſet on, and afterwards they are at a Default in the Highway, let the Huntſman hunt on 'till he find where the Hare has, broke from thence, or has found ſome Dale, or freſh Place, where the Hounds may recover a freſh Scent, inſpecting the Ground narrowly as he goes. You are to avoid hunting with young Hounds in hard froſty Weather; for that will not only founder their Feet, but alſo make them loſe their Claws; and yet a Hare runs better in a ſevere Seaſon than at any other Time.

The younger Hares, by reaſon of their weak Members, tread heavier on the Earth than the old ones, and therefore leave the greater Scent behind them. But there are Places wherein a Hound can find no Scent; and that is in fat and rotten Ground, which ſticketh to the Foot of the Hare, and ſhe carries the Scent with her.

And

And there are certain Months in the Year wherein a Hound can find no Scent; and that is in the Spring-time, when the Flowers are in Bloom, by reaſon of their fragrant Smell.

When a Hare goes to her Form, ſhe commonly takes the Highways, doubling, croſſing, and leaping as nimbly as ſhe can; in which Places the Hounds can have no Scent in a dry Seaſon, by reaſon of the Duſt. They'll ſquat by the Sides of the Highways; and therefore it is prudent to let the Huntſman beat them very well. And a Hare leaveth better Scent when ſhe goeth to Relief, than when ſhe goeth towards her Form, by reaſon ſhe coucheth her Body low upon the Earth, paſſing often over one Piece of Ground to find out the beſt Feed.

According to the Seaſon, and Nature of the Place where the Hare is accuſtomed to ſit, there beat with your Hounds, and ſtart her. And herein you are to obſerve, that if it be in the Spring-time, or Summer, a Hare will not then ſit in the Buſhes, by reaſon of Diſturbance by Snakes, Piſmires, *&c.* But in the Winter they love to ſit in Tufts of Thorns and Brambles, eſpecially when the Wind is northerly or ſoutherly: And in this Seaſon they delight in being near Towns and Villages.

Your young Hounds being two Years old, and upwards, you may exerciſe them thrice a Week, and they will be the better for ſo often hunting, provided you feed them well, and you are to keep them out the greateſt Part of the Day, to try their Courage, and enure them to Labour.

Moſt People think it adviſable to hunt Hounds both early in the Morning and in the Evening: The hunting them by Break of Day encourages them to uſe their Notes; and the keeping them

ſometimes 'till the Afternoon, or 'till near Night, moves them to Boldneſs and Courage: Though ſome Perſons, who uſe their Hounds to all Kinds of Hunting, do not oblige them to hunt in a Morning very early, by reaſon of the Dews; and they avoid Hunting in the Heat of the Day, by reaſon the Hounds will then ſoon give over their Chace.

Hares live not above ſeven Years at moſt, eſpecially the Buck. They go to buck commonly in *January*, *February*, and *March*, and ſometimes all the warm Months; the Doe-Hares frequently ſeeking the Bucks ſeven or eight Miles diſtant from the Place where they uſually ſit, following the Highways, *&c.* And there are four Sorts of Hares: Some live in the Mountains, ſome in the Fields, ſome in the Marſhes, and ſome everywhere, without any certain Place of Abode. They of the Mountains are moſt nimble; and when they are hunted in the Plains, they will through Subtilty dally with the Huntſman 'till they ſeem to be almoſt taken, and then on a ſudden take the neareſt Way to the inacceſſible Parts of the Hills. The Hares of the Fields are leſs nimble; and they of the Marſhes, and which frequent Buſhes, are moſt ſlow: But the wandering Hares are the moſt dangerous to purſue. A Buck-Hare's Hinder-parts are more white than the Doe's.

Fox-Hunting. Fox Hunting is a Diverſion fitting the Greateſt of Quality; for the ſtrong Scent of this Beaſt incites the Dogs to an excellent Cry: But as the Scent is hotteſt at hand, ſo it ſooneſt dies.

The beſt Seaſon of Hunting the Fox is in the Months of *January*, *February*, and *March*; for then you will beſt ſee your Hounds perform their Duty,

Duty, and with Facility find his Earthing. And the Hounds hunt the Fox beſt in Cold Weather, by reaſon of the ſtrong Scent he leaves behind him.

The Fox is taken either with Hounds, Grey-hounds, Terriers, *&c.* And of Terriers there are two Sorts: The one is crooked-legg'd, and ſhort-hair'd; and theſe will take Earth, and lye very long for either Fox or Badger. The other Sort is ſhagged, and ſtraight-legg'd; and theſe will not only hunt above Ground, as other Hounds, but alſo enter the Earth with more Courage than the former; but cannot continue there long, by reaſon of their great Eagerneſs in purſuit of their Sport.

When you purpoſe to go a Fox-hunting, it is a very good Method to ſtop up the Earths over-night, about Midnight, when the Fox is abroad to ſeek his Prey. You may ſtop the Holes cloſe with Blackthorns and Earth together, or two white Sticks laid a-croſs over the Holes, may be ſufficient, for he will imagine it is ſome Trap laid to enſnare him.

Being in the Field with your Dogs, you muſt draw with your Hounds near Groves, Thickets, and Buſhes in the Neighbourhood of Villages; the Fox delighting to lurk in ſuch Places where there's Plenty of Prey, which is to be met with among the Poultry, young Geeſe, Pigs, *&c.* in the Farmer's Backſide. At firſt only caſt off your Finders, and as the Drag improves, you are to add more, prudentially as they may be truſted; let ſuch as you caſt off in the Beginning be ſtanch Hounds, that may be depended upon: And if you hear ſuch a Hound call merrily, you may venture to caſt off ſome others to him: And when thoſe run it on full Cry, caſt off the Remainder

der of your Dogs, and encourage them as you do the Hounds for the Hare: But avoid caſting off too many Hounds at once, becauſe Woods and Coverts have commonly ſeveral Chaſes, and ſo you may engage your Dogs in too many at one Time, and make a Confuſion to the Loſs of your Sport.

Your Hounds being thus in purſuit of the Fox, he will not generally fly far before them, ſo that you may have a very good Proſpect of the Sport; and he truſts not ſo much to his Legs or Strength as to ſtrong Coverts. And when he is no longer able to ſtand up before the Hounds, he will then take Earth, if he can.

The Hounds ſhould be permitted to kill the Fox themſelves, and to worry and tear him at their Pleaſure: And when he is dead, hang him at the Head of a long Staff, and hollow in all your Dogs to bay him; but 'tis not a good Method to reward them with any Part of the Fox.

In caſe the Fox ſo far eſcapes as to take Earth, you are to get the Aſſiſtance of ſome Countrymen, equip'd with Spades, Shovels, Pickaxes, *&c.* to dig him out, if the Earth be not too great; and the Huntſman is to be provided with a Couple of the crooked-legg'd Terriers to put into the Earth after him; and as ſoon as the Terriers find him, they bay or bark, and that Way as the Noiſe is heard, you dig to him. The Fox on Sight of the Terriers, if they bark hard, and lye near him, will many Times bolt out immediately; but if the Bitch hath young Cubs, ſhe will ſooner die than ſtir. And a Bitch-Fox is very hard to be taken when ſhe is with Cub; for then ſhe will conſtantly lye near her Burrow, and whip in upon the leaſt Noiſe.

When a good Terrier doth once bind the Fox, he then yearns, and defends himſelf with a great deal

deal of Bravery, but not ſo ſtrenuouſly as the Badger, nor is his Biting ſo pernicious. And the Bitch-Fox, though, when ſhe goes a clickiting, and ſeeks a Dog, ſhe cries with a diſmal Tone, reſembling the Howling of a Mad-Dog, and repeats it when ſhe miſſes any of her Cubs; yet when ſhe's killing ſhe makes not any Cry at all, but to the laſt Gaſp defends her ſelf with the utmoſt Courage.

The Fox chuſes to make his Earth in Ground not eaſily to be penetrated; ſuch as Clay, Stoney Ground, or amongſt the Roots of Trees, where you cannot dig for them, for they apply their greateſt Cunning in Self-preſervation. Their Earths have commonly but one Hole; but that is of a conſiderable Length before you come at their Couches: And they ſometimes craftily poſſeſs themſelves of old Burrows belonging to Badgers, which have Variety of Rooms, Holes, and Angles; and they effectually drive the Badger from his Habitation by laying their Nets at the Entrance of the Burrow.

Your Terriers are to be entered when they are about a Year old; for after that Time there'll be a great deal of Difficulty in bringing them to take Earth. And the Method of entring them is this: When Foxes and Badgers have young Cubs, then take your old Terriers, and enter them in the Ground; and when they begin to bay, you are to hold every one of your young Terriers at the ſeveral Holes in the Earth, that they may liſten and hear the old ones bay. When the old Fox is taken, and that nothing remains within but the young Cubs, then couple up all your old Terriers, and put in the young Terriers in their ſtead, encouraging them with Words, as, *To him, To him*, or the like. And, if they take any young Cub within the Ground, let them alone to do what they

they pleaſe with him: But forget not to give the old Terriers their Reward, ſhewing them the Heads and Skins to encourage them.

Or you may enter your young Fox-Dogs, by taking an old Fox, and making an Earth in your own Grounds, wherein the Fox is to be put, and afterwards put in your Terriers, both young and old; and when they have ſufficiently bayed, dig the Fox, and kill him before them, or let a Greyhound kill it in their Sight, and reward them. But you ought, before you give them their Reward, to waſh them with warm Water, to clear their Skins, which otherwiſe will be apt to be mangy.

If a Terrier be rubbed with Brimſtone, or with Oil of Cade, and afterwards put into an Earth which either a Fox or a Badger uſes, they will leave that Earth for a conſiderable Time.

If a Fox be courſed with Greyhounds on a Plain, his [illegible] is to piſs upon his Tail, and ſlap it in their Faces as they [illegible] him, to make them give over the Purſuit.

Badger-Hunting. The Baiting of Badgers being a Sport much us'd by Country Gentlemen in ſome Parts of *England*, I ſhall here take a ſhort View of Hunting this Beaſt.

And herein I ſhall take notice, That you are firſt to make a Search after the Earths and Burrows where the Badger lies; which being done, you are to go in a Moonſhiny Night, and ſtop all the Holes but one or two, and therein place ſome Sacks faſtned with Drawing-ſtrings, which may encloſe him as ſoon as he ſtraineth the Bag. The Sacks or Bags being thus ſet, caſt off your Hounds, and beat all the Groves, Hedges, and Tufts for a Mile or two in Circuit thereabout; and

and thoſe Badgers which are abroad being alarm'd by the Dogs, will immediately repair to their Earths or Burrows, and ſo be taken in your Sacks.

But if the Hounds either encounter him, or enter on the Chace before he can get to his Earth, he will then ſtand at Bay like a Boar, and make incomparable Sport. And in this Hunting, the Perſon that watches the Sacks muſt ſtand cloſe, and upon a clear Wind, otherwiſe the Badger will ſoon find him, and fly ſome other Way for Safety.

For this Hunting you are to have Terriers garniſhed with Bells hung in Collars, to make the Fox or Badger bolt the ſooner. And when the Badgers perceive the Terriers begin to yearn, they'll ſtop the Hole between the Terriers and them; if the Terriers continue baying, they'll remove with their Baggage to another Room in the Burrow, and ſo will they remove from one to another 'till they can go no further, barricadoing the Way as they go.

The Badger loves Hog's Fleſh beyond any other Feeding; for take but a Piece of Pork, and train it over a Badger's Burrow, if he be within, you will quickly ſee him appear without. Badgers are of a very cold Nature, and live long: They are very ſleepy, eſpecially in the Day-time, and ſeldom ſtir abroad but in the Night; and they defend themſelves very well againſt the Teeth of the Dogs, or any Blows on the Body; but a ſmall Stroke on the Noſe will diſpatch them. They are to be dug in their Earths as the Fox.

Marten-Hunting.

The Marten, or Martern, is about the Bigneſs of a Cat, with Head and Tail like a Fox. And this, with the Wild-Cat, we frequently hunt here in *England*.

This

This Beaſt leaveth as great a Scent, and maketh as good a Cry as any that is hunted; and the Scent for Sweetneſs, and her noble Fur, exceed thoſe of all other Vermin. The Chaſes of them are not eaſily found, unleſs the Huntſman has a Sight of them where they prey; but if a Hound chance to croſs them, he will hunt it as ſoon as any Chace. When Martens can ſtand before the Dogs no longer, they will take to Trees to deceive the Dogs; but if the Hounds will not then give over, they will leap from one Tree to another, and occaſion a great deal of Sport before they are kill'd.

Squirrel-Hunting.

The beſt Place for this Diverſion is in ſmall ſlender Woods, ſuch as may be ſhaken by the Hand: For if the Squirrels once climb a high Oak, they are ſecure from Men and Dogs.

The proper Time of hunting this ſmall Animal is at the Fall of the Leaf, when many Perſons are to go together to hunt them, and to carry Dogs with them. And alſo Bows are requiſite to remove them when they reſt in the Twiſts of Trees; for they will not be much terrified with hollowing except they be ſtruck now and then.

They'll leap from Tree to Tree, wherein they uſe their Tails inſtead of Wings, leaping a great Diſtance; and they will frequently leap from the Top of a very high Tree down to the Ground, without receiving the leaſt Injury.

This little Beaſt will ſave her ſelf in the Tops of high Trees as long as her Strength laſteth: But at length ſhe'll be driven from the Trees to the Ground, and creep into Hedges, (a certain Sign of Wearineſs,) where the yelping Curs ſoon ſeize her.

Otter-Hunting.

An Otter is a kind of Beaver, an amphibious Creature, living both on the Land and in the Water, and preying on Fiſh, Herbs, Frogs, &c.

She commonly fixes under the Root of ſome Tree, near Rivers, Brooks, Fiſh-Ponds, &c. and ſometimes ſhe will lye in a hollow Tree, four or five Foot above Ground. She is of a timorous Nature, and therefore will not continue long in a Place: Se'll ſhift a Mile or two up and down the River.

Theſe Otters are to be hunted by ſpecial Dogs, ſuch as are called Otter-Hounds, and alſo with Otter Spears, to ſtrike them in the Water. When they find themſelves wounded with the Spear, they'll come to Land, and fight the Dogs furiouſly; but 'till they are wounded they will not forſake the Water.

In hunting of the Otter there muſt be ſome Perſons on one Side of the River, and ſome on the other, to beat the Banks with your Dogs. When the Hounds have found an Otter, hollow the Hounds, and lodge him as a Deer; and if you find not the Otter quickly, you may then conclude that he is gone to couch ſomewhere further off from the River.

Laws relating to Hunting &c.

The King may not, without Act of Parliament, reſtrain any Man from the Uſe of lawful Recreations, as Hunting, Hawking, &c. Nor may he by his Prerogative puniſh the Exerciſe of it. 23 *Co.* 11. *Rep. fol.* 87.

By the Statute of 14 & 15 *H.* 8. *cap.* 10. it is enacted, That if any Perſon ſhall trace, kill or deſtroy Hares in the Snow, he ſhall be liable to a Penalty of 6 *s.* 8 *d.* to the King, if enquired of in the Seſſions; and the Lord of the Manor, if enquired of in the Leet.

If

If any Perſon ſhall make uſe of Snares, Hare-pipes, or other Engines in the Night-time, for the taking of Hares, he ſhall make ſuch Satisfaction as ſhall be adjudged fitting by the Juſtices of Peace before whom the Party ſhall be convicted, and ſhall pay a Sum of Money not exceeding 10*s.* to the Poor of the Pariſh, or be committed to Priſon not exceeding a Month. *Stat.* 22 & 23 *Car.* 2. *cap.* 25.

By the Statute of 4 & 5 *W.* & *M.* if any inferior Tradeſman, Apprentice, or other diſſolute Perſon, ſhall hunt, hawk, or fowl, (unleſs in Company of the Maſter, qualified by Law,) they ſhall forfeit for every Hare, Partridge, &c. any Sum not under 5*s.* nor exceeding 20*s.* half to the Informer, and half to the Poor of the Pariſh where the Offence is committed, to be levied by Diſtreſs, &c. And ſuch Offenders may be likewiſe ſued for Treſpaſs for coming upon any Perſon's Ground; and the Plaintiff ſhall recover his Damages, and full Coſts.

And by this Act, if a Conſtable, ſearching by Virtue of a Warrant, find a Hare in the Houſe of any Perſon not qualified, he is to carry him before a Juſtice of Peace; and if he doth not give a good Account how he came by it, or produce the Party of whom he bought it, he is liable to the Penalties *ſupra.*

The Statute of 2 & 3 *Annæ*, enacts, That if any Officer or Soldier, without Leave of the Lord of the Manor under Hand and Seal, ſhall take or deſtroy any Hare, or other Game, Coneys, Pigeons, Poultry, &c. he ſhall, upon Conviction by Oath before a Juſtice of Peace, if he be an Officer, forfeit the Sum of 5*l.* and for every ſuch Offence committed by any Soldier under Command, the Officer commanding in chief ſhall pay

20*s.*

20 *s.* or loſe his Commiſſion. The Forfeitures to be diſtributed amongſt the Poor of the Pariſh.

By *Stat.* 5 *Annæ*, *cap.* 14. it is declared, That if any Higler, Carrier, Inn-keeper, Alehouſe-keeper, *&c.* ſhall have in his Cuſtody, or buy or ſell, or offer to Sale, Hare, Pheaſant, Partridge, *&c.* he ſhall forfeit 5 *l.* for every ſuch Hare, *&c.* one Moiety to the Informer, the other to the Poor; or be committed three Months for the firſt Offence, and four Months for the ſecond Offence.

If any Hare, *&c.* ſhall be found in the Shop or Poſſeſſion of any Perſon not qualified in his own Right to kill Game, or being entitled thereunto by ſufficient Powers from ſome Perſon ſo qualified, the ſame ſhall be adjudged an Expoſing thereof to Sale. *Stat.* 9 *Annæ*, *cap.* 15.

And if any Perſon that ſhall deſtroy, ſell, or buy Hares, *&c.* ſhall within three Months make Diſcovery of any Higler, Alehouſe-keeper, *&c.* that hath bought or ſold, or offered to buy or ſell, or that hath in his Poſſeſſion, any Hare, *&c.* ſo as to convict him, ſuch Diſcoverer ſhall be diſcharged of the Penalties aforeſaid, and receive equal Benefit with any other Informer.

Notwithſtanding the Common Law allows the Hunting of Foxes, Badgers, and other ravenous Beaſts of Prey, in the Ground of another Man, yet Digging to unearth them without Licence, is not warrantable by Law. *Cro. Jac.* 321. *Genſh* and *Mynn*'s Caſe. *Roll. Abr.* 558. *Caſes.*

The Property of Hares is in them on whoſe Ground the Hares remain, whilſt they continue there. And if a Man in Hunting ſtarts a Hare upon his own Ground, and purſues it on the

Ground of another, the Hare is ſtill his own: But if a Man ſtarts a Hare upon another Man's Ground, and hunts and kills it, he is ſubject to an Action; though it is ſeldom brought, the Cauſe being ſo frivolous. *Child* and *Greenhill*'s Caſe. *Cro. Car.* 553.

COURSING *of Hares*, &c.

COURSING, although it be not ſo noble an Exerciſe as Hunting, yet is it a reputable Diverſion, and affords a great deal of Entertainment to the Gentleman of ſmall Fortune, who cannot afford the Expence of a Pack of Hounds.

This Sport is purſued with the Greyhound, which is a Hunting Dog that deſerves the firſt Place, by reaſon of his Swiftneſs, Strength, and Sagacity in purſuing his Game; for ſuch is the excellent Nature of this Dog, that he is not only quick of Foot to follow, but well ſcented to find out, and fierce and ſtrong to overcome, yet ſilent, and coming upon his Prey unawares.

In the Choice of your Greyhound for Courſing, let his Body be long, ſtrong, and pretty large, his Head neat and ſharp, his Eyes ſparkling, his Mouth long, and Teeth ſharp, his Ears ſmall with thin Griſtles in them, his Neck long, and a little bending, with a looſe and hanging Weaſan, his Breaſt ſtrait, broad and ſtrong, his Fore-legs ſtrait and ſhort, his Hinder-legs long and ſtrait, his Shoulders broad, his Ribs round, Buttocks fleſhy, but not fat, and let his Tail be long, and full of ſtrong Sinews; and he will anſwer your Expectation.

Expectation. And though large Greyhounds are generally choſen, I have experienc'd that a middle-ſiz'd, well-limb'd Greyhound will out-do the other.

When you are determin'd to go a Courſing, (which your Greyhound will well bear three Times a Week,) feed your Dog in the Morning, before you air him, with a Toaſt and Butter, or Oil, and then kennel him 'till he go to his Courſe; for kennelling your Dog breeds Luſt, Spirit, and Activity, keeps the Pores from ſpending 'till Time of Neceſſity, and prevents Caſualties which otherwiſe might ſpoil your Sport.

If you go on Foot, it is uſual to have ſeveral Country Fellows with you, provided with long Poles, to traverſe the Fields, and beat the Buſhes, Hedges, *&c.* as the Seaſon of the Year may require, to ſtart the Hare. But if you are on Horſeback fewer Perſons will ſerve; for the Ground is then more eaſily beat, and the Hare with more Facility diſturb'd: But a great deal of Labour of this Kind may be ſaved by carrying abroad with you a Couple of ſmall Hounds or Lurchers.

The Huntſman is to lead the Greyhounds in a Slip on his Left-hand, if he be on Foot, and on his Right-hand, if he be on Horſeback; and to keep them tied 'till they can ſee their Courſe: Then let them looſe, and hollow them on, giving the Hare all juſt Advantage, ſo that ſhe may ſtand long before the Greyhound, and thereby he may ſhew his utmoſt Strength and Skill before he reap the Benefit of his Labour. If when the Greyhound has taken the Hare, he kills her, ſuffer him not to break it, but take her from him; and having cleans'd his Chaps from the Wool of the Hare, then give him the Liver, Lights, and

and afterwards take him up in your Leaſh again, and lead him home, when he is to be put in the Kennel, and fed half an Hour afterwards. And if you reward your Dog with Blood, it will greatly animate him, and encourage him to proſecute his Game.

Greyhounds commonly feed on Bones, Griſtles, Cruſts of Bread, *&c.* but your Diet-Bread is the moſt excellent Feed, to encreaſe their Strength, and preſerve their Wind. This is made of Oatmeal and good Wheat, of the former only half the Quantity of the latter, ground together, ſcatterring in it Liquoriſh and Anniſeeds well beaten together: Then knead it up with Whites of Eggs, new Ale and Barm mix'd together, and bake it in ſmall Loaves indifferent hard. This Bread ought to be ſoak'd in Beef-water, or other Broths, and to be given the Dog in the Morning about Sun-riſing, and at Night about Sun-ſetting, firſt giving him an Airing.

In the Choice of Whelps, it is common to pitch upon thoſe which weigh lighteſt; for they will be ſooneſt up with the Game, and by often Turnings ſecure it 'till the heavier Hounds come up to their Aſſiſtance: But they ought to have large Sides, and a broad Midriff; the Belly ſhould be ſmall, their Legs long, and Hair thin and ſoft. If they are raw-bon'd, lean, looſe made, and unknit in their Members, theſe are the proper Marks of true Shape in Whelps; but if after three or four Months they appear round, and as it were full knit, they never prove either good or handſome when grown up.

The beſt Time to try young Greyhounds is when they are twelve Months old; but ſome Perſons enter them ſooner, as the Male at ten Months old, and the Female at eight, though they run a great

great Hazard in ſtraining them; and a Dog ought not to be permitted to run a long Courſe 'till he is eighteen Months old at leaſt. To prevent the ſtraining of your young Greyhounds, ſecure them in your Slip until the Game has been on Foot for ſome Time, and they can ſee their Courſe. And the beſt Way of entring Greyhounds (in the Opinion of many Sportſmen) is by the Help of old ſtanch Hounds.

In the Breeding of theſe Dogs you are to obſerve, that Whelps produc'd from an indifferent Dog upon a good Bitch, excel thoſe which are bred from a good Dog upon an indifferent Bitch. Let your Dogs and Bitches be as near as you can of an equal Age, not exceeding four Years old: But to breed with a young Dog and an old Bitch ſometimes produces excellent Whelps.

The Greyhound-Bitch is more nimble than the Greyhound-Dog; but the Dog is the ſtrongeſt, and unwearied in his Courſe. The good Dogs produc'd in a deep Low-Country, will always excel the good Dogs upon the Plains.

The Laws of the Leaſh or Courſing, eſtabliſh'd in the Reign of Queen *Elizabeth* by the Duke of *Norfolk* and the chief Gentry of *England*, are as follows. *Laws of Courſing.*

1. It was order'd, That he who was choſen Fewterer or Letter-looſe of the Greyhounds, ſhould receive the Greyhounds match'd to run together into his Leaſh as ſoon as he came into the Field, and follow next to the Hare finder 'till he came unto the Form: And no Horſeman or Footman, on Pain of Diſgrace, to go before him, or on any Side, but directly behind, the Space of forty Yards, or thereabouts.

2. That not above one Brace of Geyhounds do courſe a Hare at one Time.

3. That the Hare-finder ſhould give the Hare three Soboes before he put her from her Lear, to make the Greyhounds gaze, and attend her riſing.

4. That the Fewterer ſhall give twelve Score Law before he looſe the Greyhounds, except it be in danger of loſing Sight.

5. That Dog which giveth the firſt Turn, if after the Turn be given there be neither Coat, Slip, nor Wrench extraordinary, ſhall be held to win the Wager.

6. If one Dog give the firſt Turn, and the other bear the Hare, then he that bears the Hare ſhall win.

7. If one Dog give both the firſt and the laſt Turn, and no other Advantage between them, the odd Turn ſhall win the Wager.

8. That a Coat ſhall be more than two Turns, and a Go-by, or the Bearing of the Hare, equal with two Turns.

9. If neither Dog turn the Hare, then he which leadeth laſt at the Covert ſhall be held to win the Wager.

10. If one Dog turn the Hare, ſerve himſelf, and turn her again, thoſe two Turns ſhall be as much as a Coat.

11. If all the Courſe be equal, then he which bears the Hare ſhall win only: And if ſhe be not born, the Courſe muſt be adjudged dead.

12. He which comes firſt in to the Death of the Hare, takes her up, and ſaves her from breaking, (cheriſhing the Dogs, and cleanſing their Mouths from the Wool and other Filth of the Hare,) for ſuch Courteſy done ſhall in Right challenge

challenge the Hare: But not doing it, he ſhall have no Right, Privilege, or Title therein.

13. If any Dog ſhall take a Fall in the Courſe, and yet perform his Part, he ſhall challenge the Advantage of a Turn more than he giveth.

14. If one Dog turn the Hare, ſerve himſelf, and give divers Coats, yet in the End ſtand ſtill in the Field, and the other Dog, without Turn given, running home to the Covert; that Dog which ſtood ſtill in the Field ſhall be adjudged to loſe the Wager.

15. If any Man ſhould ride over a Dog, and overthrow him in his Courſe, (though the Dog were the worſe in Opinion,) yet the Party for the Offence ſhall either pay the Wager, or receive the Diſgrace of the Field: For between the Parties it ſhall be adjudged no Courſe.

16. And laſtly, Thoſe which are choſen Judges of the Leaſh ſhall give their Judgments preſently, before they depart the Field; or elſe he in whoſe Default it lieth ſhall pay the Wager, by a general Voice and Sentence.

And he that hath the Office of the Leaſh conferred on him, hath Power to make Laws according to the Cuſtom of the Country.

Hunter's TERMS, *&c.*

HAving now gone through the ſeveral Buſineſſes of the Sportſman in taking of all Sorts of Game, Shooting, Hunting, Courſing, *&c.* I proceed to the Terms us'd in Hunting, the Laws relating to Game-keepers, their Authority and

Warrants to empower them, which is the laſt Head of my Firſt Part of this Treatiſe.

In reſpect to the Hunter's Terms, I ſhall begin with the Noiſes of Hounds: When they are firſt caſt off, and find ſome Game or Chaſe, we ſay They challenge: If they are too buſy before they find the Scent, we ſay, They bawl: If they be too buſy after they find good Scent, we ſay, They Babble: If they run in end-ways orderly, making it good, and then hold in together merrily, we ſay, They are in full Cry. When Spaniels open in the String, (or a Greyhound in his Courſe,) we ſay, They lapſe. When Hounds hang behind, and beat over much upon the Scent or Place, we ſay, They plod. And when they have either earthed a Vermin, or brought a Deer, *&c.* to turn head againſt them, then we ſay, They bay.

Of Greyhounds, two make a Brace; of Hounds, a Couple. Of Greyhounds, three make a Leaſh; and of Hounds, a Couple and a half. The Greyhound hath his Collar, and the Hound hath his Couples. We let ſlip a Greyhound, and caſt off a Hound.

We ſay, A Kennel of Hounds, and A Pack of Beagles. When the Hounds or Beagles take freſh Scent, hunting another Chaſe until they ſtick and hit again, we ſay, They hunt Change. When the Hounds or Beagles hunt it by the Heel, we ſay, They run counter. When the Chaſe goes off, and comes on again, traverſing the ſame Ground, to deceive the Hounds or Beagles, we ſay, They hunt the Foil.

When Hounds or Beagles, at firſt finding the Scent of their Game, preſently open and cry, we then ſay, They challenge, as is before obſerv'd. When Hounds or Beagles run along without

opening

opening or making any Cry, we ſay, They run mute. When Beagles bark and cry at their Prey, we ſay, They yearn. When we ſet Hounds or Beagles in Readineſs, expecting the Chaſe to come by, and then caſt them off before the reſt come in, we call it a Vauntlay. When Hounds or Beagles find where the Chaſe hath been, and make a Proffer to enter, but return, we ſay, There is a Blemiſh. And when Hounds or Beagles have finiſh'd their Chaſe by the Death of the Game, and then are fed by the Huntſman, *&c.* it is called a Reward.

Where any Deer hath repos'd or harbour'd, we call that a Layr. Where we find Deer have lately paſs'd into Thickets, *&c.* and then put the Hounds or Beagles to it, we call ſuch Places Entries. When we ſet Hounds in Readineſs where we expect the Deer will come by, and then caſt them off, we account that a Relay. When Huntſmen endeavour to find a Hart by the Slot, *&c.* and then mind his Step to know his Size, they then ſay, They know him by his Gate. When any Deer is hard hunted, and then betakes himſelf to ſwimming in any River, *&c.* then we ſay, He takes Soyl. When Deer rub and puſh their Heads againſt Trees to cauſe the Pills of their new Horns to come off, They fray. When Deer caſt their Horns, we ſay, They mew. When Hounds run at a whole Herd of Deer, we ſay, They run riot.

When the Hounds touch the Scent, and draw on 'till they rouze or put up the Chaſe, we ſay, They draw on the Slot. When we beat the Buſhes, *&c.* after the Fox, we call it Drawing. And when the Hounds or Beagles hit the Scent of their Chaſe contrary, as to hit it up the Wind when they ſhould hit down, we then ſay, They draw

amiſs. When a Hare runs on rotten Ground, or in Froſty Weather that the Earth ſticks to her Feet, we ſay, She carrieth. When a Hare takes the Ground like a Coney, (which is but ſeldom,) we then ſay, She goes to the Vault. We ſay How to a Deer; and when we ſtart a Hare, we ſay, There, There, *&c.* A Call is a Leſſon blown on the Horn.

The Names of Hounds are very numerous, but the following are common: *Beauty, Bangor, Boman, Bonny, Bouncer, Captain, Chanter, Counteſs, Cæſar, Dido, Driver, Dancer, Daphne, Dutcheſs, Fancy, Flippant, Fiddler, Gallant, Hector, Juggler, Jewel, Joler, Jolly, Juno, Kilbuck, Lively, Lady, Madam, Merryboy, Mopſie, Motley, Nancy, Plunder, Pluto, Rockwood, Ringwood, Rover, Ranter, Ranger, Ruffler, Soundwell, Stately, Thisbe, Thunder, Tattler, Touchſtone, Traveller, Trouncer, Truſty, Trier, Venus, Vulcan, Violet, Wanton, Wonder, Whiſper, Younker.*

Hunters Terms, when Beaſts of Chaſe are in Company, are, A Herd of Harts, and all manner of Deer; a Bevy of Roes; a Sounder of Swine; a Rout of Wolves; a Richeſs of Martens; a Brace or Leaſe of Bucks, Foxes, Hares, *&c.* a Couple of Rabbits. When Beaſts lodge, a Hart is ſaid to harbour; a Buck lodgeth; a Roe beddeth; a Hare formeth; a Coney ſitteth, a Fox kennelleth; a Marten treeth; a Badger eartheth; an Otter watcheth. When they diſlodge, the Hart is ſaid to be unharbour'd, the Buck rouz'd, the Hare ſtarted, the Coney bolted, the Fox unkennell'd, the Marten treed, the Badger dug, and the Otter vented.

The Terms of Copulation are as follow: A Hart or Buck goeth to rut; a Roe goeth to tourn; a Boar to brim; a Hare and Coney goeth to

to buck; a Fox goeth to clickitting; and Otter hunteth for his Kind. Their Noiſe at Rutting-time: A Hart belleth, a Buck groaneth, a Roe belloweth, a Hare beateth, a Fox barketh, a Badger ſhricketh, and an Otter whineth.

For the Footing and Treading of Beaſts of Venery and Chaſe: A Hart is ſaid to ſlot: Of the Buck and Fallow-Deer a View; if it be ſcarce viſible, then it is call'd Foiling: Of a Fox, the Print: Of the Hare, diverſly; for when ſhe is in the open Field, ſhe ſoreth; when ſhe beats on the Highway, ſhe pricketh; and in the Snow, it is call'd Tracing: Of an Otter, the Marks: Of Vermine, like the Fox, the Footing.

Terms of the Tail are; Of a Hart, Buck, or other Deer, the Single; of a Boar, the Wreath; of a Fox, the Bruſh or Drag, and the Tip at the End is called the Chape; of a Hare and Coney, the Scut; of the Wolf, the Stern.

We ſay, The Deer is broken up; The Fox and Hare is caſed; A Litter of Cubs; A Neſt of Rabbits; A Squirrel's Dray, *&c.*

Laws relating to Game-keepers, *with the New* Game Act.

BY the Statute of 22 & 23 *Car.* 2. Lords of Manors are empower'd to authorize one or more Game-keepers, who may ſeize Dogs, Guns, Nets, *&c.* for the taking of Game, for the Uſe of ſuch Lords. But then theſe Lords of Manors are not to be under the Degree of an Eſquire.

The

The Statute of 5 *Annæ*, *cap.* 14. enacts, That any Lord or Lady of a Manor or Lordſhip may, by Writing under his or her Hand and Seal, impower his or her Game-keeper, within their reſpective Manors, to kill Hare, Pheaſant, Partridge, *&c.* But if the ſaid Game-keeper ſhall, under Colour of the ſaid Power, kill, and afterwards ſell or diſpoſe thereof to any Perſon whatſoever, without the Conſent of the Lord or Lady of ſuch Manor, and thereof ſhall be convicted, upon the Oath of one or more credible Witneſſes, before one Juſtice, he ſhall be committed to the Houſe of Correction for three Months, and there be kept to hard Labour.

By the Statute of 9 *Annæ*, *cap.* 2⁰. the Act of the Fifth Year of Her Majeſty's Reign, for the better Preſervation of the Game, is made perpetual. And by this Act no Lord or Lady of a Manor ſhall make, conſtitute, or appoint, above one Perſon to be Game-keeper at any one Time, within any one Manor, with Power to kill or deſtroy the Game thereof: And the Name of ſuch Perſon, ſo authoriz'd to kill the Game, is to be be enter'd with the Clerk of the Peace of the County, Riding, or Diviſion, wherein ſuch Manor lies. Such Entry to be mad without Fee; and a Certificate thereof to be granted upon Payment of one Shilling.

And if any other Game-keeper, not otherwiſe qualified to kill Game, ſhall preſume to kill any Hare, Pheaſant, Partridge, Moor, Heath-Game, or Grouſe; or if any Game-keeper, or other Perſon whatſoever, not qualified in his own Right to kill Game, ſhall ſell, or expoſe to Sale, any Hare, Pheaſant, Partridge, Moor, Heath-Game, or Grouſe, he ſhall for every Offence incur ſuch Forfeitures, *&c.* as are inflicted by the *Stat.*

5 *Annæ*

5 *Annæ*, upon Higlers, Carriers, &c. for buying or ſelling of Game, *viz.* the Sum of 5 *l.* for every Hare, Pheaſant, &c. one Half to the Informer, and the other Half to the Poor.

New Game-Act.

By the Statute of 3 *Geo.* reciting the Acts of the Fifth and Ninth of *Anne*, and ſeveral Inconveniencies ariſing from deputing Farmers, Tenants, and Occupiers of Lands Game-keepers, &c. it is enacted, That no Lord or Lady of a Manor ſhall appoint any Perſons to be Game-keepers, with Power and Authority to take and kill Hare, Pheaſant, Partridge, or any other Game, but ſuch as are qualified by the Laws of this Realm to kill Game, or as ſhall be truly and properly Servants to the ſaid Lord or Lady, or be immediately employed by them to kill the Game for the ſole Uſe and Benefit of the ſaid Lord or Lady.

And by this Act no Lord or Lady of a Manor ſhall authorize any Perſon, not being qualified by Law, to take or kill any Hare, Pheaſant, &c. or to keep or uſe any Greyhound, Setting-Dog, Guns, Nets, or other Engines, to deſtroy Game. And if any Perſon, not being legally qualified, or not being a Servant, &c. to any Lord of the Manor, as aforeſaid, ſhall, under Pretence of any Deputation to him granted by any Lord of a Manor, take or kill any Hare, Pheaſant, &c. or keep or uſe any Greyhounds, Guns, Nets, &c. to deſtroy the Game, he ſhall incur ſuch Forfeitures and Penalties as are appointed by the Act of 5 & 9 *Annæ*.

A WARRANT *to depute a Perſon Game-keeper of a Manor*, &c.

TO all People to whom theſe Preſents ſhall come, I *A. B.* of, *&c.* Lord of the Manor of, *&c.* have nominated, authorized, and appointed, and by theſe Preſents do nominate, authorize, and appoint, *C. D.* of, *&c.* to be my Game-keeper of and within my ſaid Manor of, *&c.* aforeſaid, with full Power and Authority, according to the Direction of the Statutes or Acts of Parliament in that Caſe made, to kill all manner of Game for my Uſe; and to ſeize from Time to Time all ſuch Guns, Greyhounds, Setting-Dogs, *&c.* Ferrets, Trammels, Hayes, or other Nets, Snares, or Engines, for the taking, killing, or deſtroying of Hares, Coneys, Pheaſants, Partridges, or other Game, as within the ſaid Manor of, *&c.* and the Precincts thereof, ſhall be kept or uſed by any Perſon or Perſons whatſoever, not legally qualified to do the ſame. And further, to act and do all and every Thing and Things which belongeth to the Office of a Game-keeper, purſuant to the Acts of Parliament, during my free Will and Pleaſure. Provided always, That the ſaid *C. D.* before he commences his Office, do enter, or cauſe to be enter'd, his Name and the Puport of this Warrant with the Clerk of the Peace of the County of, *&c.* aforeſaid, according to a late Statute. Given under my Hand and Seal this Day, *&c.*

A LICENCE *to a Perſon to hunt,* &c. *within a Manor, and to ſeize Guns, Nets,* &c. *of unqualified Perſons.*

TO all, *&c.* I *T.* Lord *A.* Baron of, *&c.* have given and granted, and by theſe Preſents do give and grant unto *C. D.* of, *&c.* Gent. full Power, Licence, and Authority to Hunt, Courſe, Fiſh, and Fowl, from Time to Time, and at all Times hereafter, at the Will and Pleaſure of him the ſaid *C. D.* in, upon, and within my Manors of, *&c.* in the County of, *&c.* and every of them, and in and upon all and ſingular the Lands, Grounds, Woods, and Rivers, within all and every the Boundaries, Limits, and Circuits of the ſaid Manors, and every of them, in as full and ample Manner as I my ſelf may or can do, without any Manner of Hinderance, Denial, Moleſtation, or Interruption of me the ſaid *T.* Lord *A.* or of any Perſon or Perſons claiming, or which hereafter ſhall or may claim any Right or Title from, by, or under me. And further, I, the ſaid *T.* Lord *A*, do hereby authorize and empower the ſaid *C. D.* from Time to Time, and at all Times hereafter, to ſeize, detain, and keep to his own uſe, or otherwiſe deſtroy, all Guns, Dogs, Hays, Tunnels, Nets, Snares, Fiſhing-Nets, Angles, or other Inſtruments or Engines, for Deſtruction of Hares, Pheaſants, Partridge, Fowl, Fiſh, *&c.* which ſhall be kept and uſed within my ſaid Manors, and the Limits

Limits thereof, by any Perſon or Perſons not qualified by Law, without Licence firſt had and obtain'd from him the ſaid *C. D.* for the doing thereof, whom I do hereby empower to make one or more Deputy or Deputies under him, at his Pleaſure, for the Preſervation of the Game within my Manors of, *&c.* aforeſaid. In Witneſs, *&c.*

A Short LICENCE *to a Gentleman to Hunt, Hawk, Fiſh, and Fowl,* &c.

TO all People, *&c.* I *A. B.* of, *&c.* Lord of the Manor of, *&c.* do hereby authorize and allow *C. D.* of, *&c.* Gent. and give him full Power and Authority to Hunt, Hawk, Fiſh, and Fowl within my ſaid Manor of, *&c.* and the Demeſns thereof, and Places thereto belonging: And alſo, from Time to Time, to ſeize and take the Guns, Dogs, Nets, and other Engines and Inſtruments, kept and uſed by any Perſons within the ſaid Manor not legally qualified to do the ſame, during my Will and Pleaſure. In Witneſs, *&c.*

THE
Compleat Sportſman.

PART II.

Of the beſt Situations and Methods of Erecting and Management of PARKS, *Warrens*, &c. *Of Hunting the Buck, Doe*, &c. *And a conciſe Abridgement of the* FOREST-LAWS, *and of all the Laws and Statutes relating to Deer methodically interſpers'd: With Precedents of Warrants for Deer*, &c.

A PARK is a Piece of Ground encloſed, and ſtor'd with Wild Beaſts for Chaſe. It is privileged by the King's Grant, or by Preſcription; and differs very little from a Chaſe, being in its Nature between that and a Foreſt: But a Foreſt is open, and a greater Quantity of Ground; and this is enclos'd, and a leſſer Quantity.

The

The firſt *Roman* that enclos'd Wild Beaſts in Parks was *Fulvius Herpinus*; and *Varro* had the firſt Warren of Hares. From the Example of theſe Foreigners the *Engliſh* in former Times erected Parks, Chaſes, *&c.* for the keeping of red and fallow Deer, as well for the Profit of thoſe noble Beaſts, as the great Pleaſure in Hunting. And at this Time there are more Parks and Foreſts in *England*, than in all *Europe* beſides.

A Park of two or three Miles in Compaſs is a very agreeable Size, and with good Management is Extent ſufficient for the breeding and keeping of a very conſiderable Number of Deer; for every Acre of Ground of the Value of 10 *s. per Ann.* will very well maintain two or three Fallow Deer, allowing in the ſevereſt Seaſon of Winter a convenient Quantity of good Hay.

The Situation of your Park ought to be tollerably high, the Ground healthy, and plentifully wooded; and your Thorns are an agreeable Tree to be intermix'd, they not only making a handſome Figure, and a pleaſant Shade in the Summer, but alſo making a good Covert, and produce Haws (a very good Feed for your Deer) in the Winter. The Walls of your Park ſhould be high; and if Pales, they ought to be cloſe jointed, ſo that neither Badger nor Cat can creep through, nor Fox, *&c.* leap over. And there ought to be as well Plenty of Buſhes as Trees, to cover the Beaſts againſt Heat and Cold, and to defend the leſſer Beaſts, as Hares, Coneys, *&c.* from Hawks, Kites, and other Birds of Prey. Hares are commonly put into Parks, and a few Couple of them will ſoon multiply into a large Warren.

For the Management of Parks, they are under the Care of Keepers, who ought to be furniſh'd with

with good Guns, a good Horſe, and good Dogs; to be experienc'd Sportſmen, well acquainted with Buck-Hunting; but particularly good Markſmen, to ſtrike down a Deer with a ſingle Bullet; and that on Horſeback, the only Method to come near your Deer; and a Keeper ought to have a Couple of large Greyhounds, to purſue the Deer when wounded: But they are to be under the moſt exact Diſcipline and Command, leſt they ſhould tear and mangle the Game. Sometimes Gentlemen will turn a Buck out of the Park, and hunt him in the open Country a great many Miles, to their very great Diverſion.

A Park-Keeper muſt be likewiſe a careful vigilant Man: He muſt daily take a Turn round his Park, and keep a conſtant Account of the Number of his Deer; and oftentimes watch them at Night, for their Preſervation againſt unlawful Hunters, eſpecially in Moon-ſhiny Nights and the Rutting-ſeaſon. He muſt take care to calculate an exact Number of Bucks and Does proper to be kill'd in each Seaſon, (wherein the oldeſt Veniſons are to be firſt kill'd,) ſo as not to make any Deſtruction, or leſſening of his Park, and at the ſame Time not to over-ſtock the ſame, preſerving a proper Number of young Fawns to be bred up in the Steads of thoſe he kills; and having always a Regard to Caſualties, which ſome will happen in the Winter unavoidably.

There are ſeveral Laws and Statutes relating to Parks: As, The King at his Pleaſure may grant a Warren to one in any Land of his own, for all Sorts of Beaſts of Chaſe, Hares, *&c.* *Crom. Jur.* 148.

None may erect a Park, Warren, *&c.* without Licence of the King; for they may not reſtrain Beaſts, *Feræ Naturæ*, from their natural Liberty

berty without a Royal Licence. But for Hunting, &c. which are Matters of Paſtime and Pleaſure, there need be no Licence, but every one in his own Land may uſe them at his Pleaſure, without any Reſtraint, unleſs by Act of Parliament. 11 *Hen.* 7. *cap.* 17. 23 *Eliz. cap.* 10. 3 *Jac.* 1. *cap.* 13.

By the Statute of *Weſtm.* 1. 3 *Edw.* 1. *cap.* 20. Treſpaſſers in Parks, &c. ſhall give treble Damages to the Party griev'd, ſuffer three Years Impriſonment, be fined at the King's Pleaſure, give Security not to offend again in the like Kind, or abjure the Realm; and if ſuch Perſons become Fugitives they ſhall be outlaw'd.

To hunt in a Park or Warren, &c. in the Night-time, or diſguiſed, if denied or conceal'd upon Examination before a Juſtice of Peace, is made Felony: But if the Crime be confeſſed, it is only finable at the next General Quarter-Seſſions. A Reſcous or Diſobedience by the Party is alſo made Felony. 1 *Hen.* 7. *cap.* 7.

If the Owner of a Park die, his Heir ſhall have the Deer in it, and not his Executors; for without the Deer the Park, which is an Inheritance, is not compleat. *Co. Rep. lib.* 7. *fo.* 17.

A Man grants the Cuſtody of his Park, he may nevertheleſs diſpark it; but if he makes a Leaſe of his Park to any Perſon, he may not in this Caſe diſpark it. *Dyer* 71.

If the Office of Parkerſhip be granted to a Nobleman without particular Words empowering him to keep a Deputy, he may nevertheleſs officiate by his Servants: For in many Caſes the Laws allow Acts of Conveniency to the Nobility, in reſpect of the Dignity of the Perſon. As if a Licence be given to a Duke to chaſe in a Park, the Law for Conveniency gives him ſuch Attendants

dants which are requiſite to the Dignity of his Eſtate. 9 *Rep.*

But if a Licence be given to a private Perſon to hunt in a Park, the Servant cannot juſtify, tho' by his Maſter's Command; for this is only a Thing of Pleaſure, and a Licence extends ſtrictly to him to whom it is given, and to none other, contrary to a Gift by which a Man gains Property. *Crom. Juriſd.* 159. *b.* But if a Man hath a Licence or Intereſt of Profit, he may juſtify for himſelf and Servants. *Manwood, cap.* 20. *p.* 382.

If a Gentleman licenſe another to chaſe in his Park, ſuch Perſon cannot bring others with him to hunt there; neither can he carry off a Veniſon when kill'd, without particular Words in the Licence to impower him. But if a Licence be granted to him to chaſe, kill, and carry off Deer at his Pleaſure, then he may bring others with him, *&c.* *Cromp. Juriſd.* 160.

A Parker may not licence one to hunt and chaſe in his Maſter's Park. And if a Perſon that hath Licence to hunt in a Park, *&c.* exceed his Authority in any Particular, he ſhall be puniſh'd for that Fact as if he had no Licence at all. *Manwood, cap.* 18. *p.* 280, 288.

If a Man enters a Foreſt in the Night-time, the Foreſter cannot juſtify beating him before he makes Reſiſtance: But if he reſiſts, he may juſtify the Battery. *Roll's Abr. fo.* 548. And a Parker or Warrenner may juſtify killing Perſons that come to hunt and kill Game wrongfully within his Liberty. But if upon private Malice the Keeper kills a Man that comes into his Park, and one that enters the ſame without any Intent to hunt, this is Murder in the Keeper. 2 *Roll. Rep.* 120.

On

On the contrary; If Treſpaſſers in a Park kill a Keeper who oppoſes them, though they bore no Malice to him, this is Murder; becauſe they entered the Park to do an unlawful Act, which carries an Implication of Malice along with it. And if Treſpaſſers in any Caſe kill ſuch Servants, it is Murder. Lord *Dacre*'s Caſe, 33 *Hen.* 8. who was hang'd for treſpaſſing in the Night-time in another's Park, where a Keeper was killed.

Of Warrens, Coney-catching, &c.

A Warren is a Franchiſe, or Place priviledged, either by Preſcription or Grant from the King, (like unto a Park,) to keep Beaſts of Warren; as Rabbits, Hares, *&c.* And, with good Management, is the beſt and moſt profitable Diſpoſition of ſome Sorts of Land; for the Coney will begin to breed at a Year old, and will bear at leaſt ſeven Times in a Year.

A dry barren Gravel or Sand, that will maintain nothing elſe, is the beſt Ground for Rabbits. And the beſt Situation for a Warren, is againſt the Side of a ſmall Hill, or eaſy Aſcent, defended by the Brow of it from the ſevereſt Winds: And a few Buſhes ſcatter'd up and down are of great Uſe to the Rabbits, eſpecially in the Summer, to ſhade the little Beaſts when they are abroad a feeding.

The beſt Method of taking Rabbits in a Warren is with the Ferret, a little wild Creature, not to be met with either in *France*, *Spain*, *Italy*, or *Germany*; but in *England* they breed naturally, and are eaſily tam'd. The Warrener muſt firſt make

make a Noiſe in the Warren to frighten the Coneys abroad into their Burrows, then he is to pitch his Nets; after that he puts his Ferret into the Earth, being muzzled ſo that he may not ſeize the Coneys, and having ſmall Bells about his Neck: And by this Means the Coneys will be frighten'd out of their Burrows, when they are driven by Dogs into the Nets.

If you have no Ferret, you may take them when they ſtraggle abroad from their Burrows, either by Curs or Spaniels bred up for that Sport, or elſe by Courſing them with Diminutive Greyhounds: And the beſt Places for Hunting are among Buſhes and Hedges. In their Default they are commonly driven into their Burrows; and therefore it will be requiſite to ſet Purſe-Nets on the Holes. And ſome ſay the Drone of a Bagpipe put into a Coney-Burrow, and blown on a ſudden, will make the Coneys bolt.

When a Buck-Rabbit hath buck'd, he is accuſtom'd to fall backwards, and lye as if he were half dead; at which Time he is eaſily taken. Our Tumblers will make excellent Sport, and kill Coneys abundantly. And Hays are to be preferred beyond any other Engines, for the taking of Coneys.

Thoſe who keep tame Coneys, are to have a particular Regard to the Feeding: They may be aſſign'd Herbs, Graſs, Vine-Leaves, Fruits, Milk-thiſtles, Cabbige, Lettice, or Carret-tops, Beans, Oatmeal, *&c.* but be ſure let there not be the leaſt Slip of Hemlock amongſt the Herbs, for that is a preſent Poiſon. In the Winter they will eat Hay, Oats, and Chaff, being given them thrice a Day: But when they eat green Things, they are not to be allow'd any Drink at all; for that would make them ſwell: And at all other Times

a little

a little Drink will ſuffice, and that muſt be always freſh. And it is good to mix Oats, Chaff, *&c.* with your green Juicy Meat, for fear of a Rot.

The Warrener cannot be too careful in ſetting of Iron Gins, Traps, *&c.* properly baited, for the catching of Polecats, and other Vermine, which do great Miſchief to the Warren, eſpecially at the Time the young Coneys firſt venture out of their Holes. Theſe Gins may be made likewiſe to take Dogs, Cats, (ſome whereof are very miſchievous to Warrens,) Kites, and other Birds of Prey.

No free Warren can be made in any Chaſe or Park; nor may any Perſon make a Park or Free Warren within his own Land, without the King's Licence or Grant for it. And if any ſhall preſume ſo to do of his own Accord, the King may by a *Quo Warranto* ſeize it. *Co. Rep.* 11. *fo.* 86.

To kill or chaſe, without the Owner's Licence, Deer or Coneys, in any Park or Incloſed Ground, incurs the Penalty of three Months Impriſonment, treble Damages to the Party injur'd, (or 10*l.* at his Election,) and the Offender to be bound with two good Sureties to the good Behaviour for ſeven Years, or to be impriſon'd 'till he finds ſuch Sureties. *Stat.* 3 *Jac.* 1. *cap.* 13.

By the Statute of 22 & 23 *Car.* 2. *cap.* 15. if any Perſon ſhall enter into a Coney-Ground, tho' not inclos'd, and chaſe or kill againſt the Owner's Will, he ſhall upon Conviction pay treble Damages, be impriſon'd for three Months, and find Sureties for the good Behaviour.

And the ſame Statute enacts, That if any Perſon ſhall kill Coneys on the Borders of Warrens, or other Ground uſed for keeping Coneys, in the Night-time, except Owners, *&c.* they ſhall make

ſuch

ſuch Recompence as ſhall be appointed by the Juſtice of Peace before whom the Party ſhall be convicted, and pay ſuch Sum of Money to the Poor (not exceeding 10*s.*) as the ſaid Juſtice ſhall think fit, or be committed to the Houſe of Correction not exceeding a Month.

The Plaintiff brought his Action for breaking his Cloſe, and killing his Coneys. The Queſtion was, Whether the Plaintiff could ſay they were *Cuniculos ſuos*, unleſs they had been alledg'd to be killed in *Warrena ſua*, in regard they are *Feræ naturæ*? The Lord Chief Juſtice ſaid, That he had a Property in them, ſo long as they were upon his Ground; which Property was tranſient and not permanent: And the being or not being a Warren ſignifies nothing as to that; but the being upon his Land is ſufficient, though it be no Warren. *Mich.* 12 *Hen.* 8.

If a Man makes Coney-burrows in his own Land, and they multiply there, his Neighbour may not have Action on the Caſe againſt him; but when the Coneys come into the Land of his Neighbour, he may kill them, and he who made the Coney-burrows has no Property in them: So that he ſhall not be puniſhed for the Damages by the Coneys in which there was no Property, and when they may be lawfully kill'd by the Perſon injur'd. 5 *Rep.* 104. The King and *Shore*'s Caſe.

A Commoner may not kill the Coneys, ſo long as they are in the Lord's own Land. The Lord hath a Property in them, and he may ſay, *Cuniculos ſuos*; but when they go out, he hath no longer a Property in them; for none can ſay, when Coneys are on the Common, whoſe Coneys they be. And they cannot be ſaid to belong to either Plaintiff or Defendant when they

are out of their Soil; and a Man hath no other Intereſt in them than any other, they being *Feræ Naturæ*. *F. N. B.* 87. But Coneys are Matter of Profit to the Owner of the Soil for Houſekeeping, &c. *Wilkinſon*'s Caſe.

It is no Waſte to deſtroy Coney-burrows; for Waſte will not lye for Coneys, becauſe a Man hath no Inheritance in them: And a Man can have no Property in Coneys, only a Poſſeſſion. One leaſed a Manor, and a Warren, and brought Waſte, that the Tenant had deſtroyed a Coney-burrow, and ſubverted it; the Action will not lye. But if Leſſee of a Warren break the Pales, Action of Waſte will lye. *Owen* 66. *Moyle*'s Caſe.

Every Forreſt, being the higheſt and greateſt Franchiſe, comprehends in it a Chaſe, a Park, and a Free Warren. *Manwood, p.* 53.

Of Hunting the Hart, Buck, Doe, &c.

THE Hunting of the Hart is a Royal Exerciſe: And the Seaſon for this Sport begins a Fortnight after Midſummer, and continues 'till *Holy-Rood-Day*: The Hind or Doe begins at *Holy-Rood-Day*, and laſts 'till *Candlemas*: The Roe-Buck begins at *Eaſter*, and laſts 'till *Michaelmas*: The Roe begins at *Michaelmas*, and laſteth 'till *Candlemas*: And the Fawn-ſeaſon begins in *July*, and laſts 'till the Middle of *September*.

Your Hounds for this Hunting ought to be rather long than round; their Noſtrils wide, their Ears large, Backs bowed, the Fillets great, the Haunches large, Thighs ſtrong, and Hams ſtrait; their

their Tails big near the Reins, and the reſt ſlender to the End; their Legs ſtrong; the Soal of the Feet dry, and form'd like a Fox's, with the Claws large.

To enter your young Hounds for Hart-hunting, chuſe the Seaſon that the Hart is in prime of Greaſe; for then he is heavier than at any other Time, and cannot ſtand up ſo long. Then chuſe your Foreſt, wherein the Relays are of equal Proportion: place all your young Hounds, with five or ſix old ones to enter them; and lead them to the fartheſt and laſt Relay, and cauſe the Hart to be hunted to them. Being come up, uncouple your old Hounds; and when they have found the Track of the Hart, and are well enter'd in Cry, uncouple likewiſe your young Hounds; and if you find any of them lag behind, they are to be corrected till they do their Duty.

You may likewiſe enter your Hounds by taking a Hart in Nets, and after you have cut off one of his Feet, let him go. A Quarter of an Hour after aſſemble your young Hounds; and having found out the View or Slot of the Hart or Buck by your Bloodhounds, uncouple your young Hounds, and let them hunt. You may bring them to quarry by taking half a Dozen Huntſmen, ſwift of Foot, each whereof having two Couple of Hounds led in Liams; and having unlodg'd the Hart, purſue him fair and ſoftly, ſo that you tire not too much your young Hounds. After the Hart hath run two or three Hours, and that you find he begins to ſink, you may then caſt off your young Hounds: But beware it be not when he is at Bay, and his Head full ſumm'd; for at that Time you may endanger the Lives of your Dogs.

There are many other Ways of entering Buck-Hounds: But the beſt Method is to enter them firſt at the Hare; for by that Means they will learn all Doubles and Turns, be better acquainted with the Hallow, will be more tender noſed, and better ſcented, by a frequent Uſe to the Beaten Ways and Champian Ground. And in reſpect to Hounds in general, you are to obſerve, that with what you firſt enter your Hounds, and therewith reward them, they will ever after love moſt: So that if you intend them for the Hart, enter them not firſt with the Hind, *&c.*

Having now inform'd you how to chuſe and enter your Hounds, I come to the Sport. When the Huntſman hath inſtructed his Dogs in Words of Art, ſo that he can ſet them on, and take them off again at his Pleaſure, he may venture to carry them abroad; and when the Relays are well ſet and placed, he is to walk before the Kennel of Hounds with his Pole in his Hand, taking Care, in the firſt Place, to compaſs in the Beaſt in her own Layr, and ſo unharbour her in View of the Dogs, that they may never loſe her Slot or Footing. Being come to the Blemiſhes, and having obſerv'd the Slot, and ſuch other Marks as may be obſerv'd from the View of the Deer, whereby the Huntſman may know whether his Hounds run riot, or not; then he is to caſt abroad about the Covert, and diſcover the Hart when he is unharbour'd, the better to diſtinguiſh him by his Head, or otherwiſe. Which being done, the Dog-couplings taken off, and the Deer unharbour'd, all the Hounds are to be caſt off, and ſome on Horſeback, others on Foot, to follow the Cry with the greateſt Speed, but not without Art and due Care; and all ſetting on the Dogs at

at firſt by crying *To him*, *To him*, *That's he*, *That's he*, or ſuch like Words of Encouragement.

If the Huntſman hath the Hart in View, he is to blow and hollow 'till the Hounds are come in, and ſtill to draw upon the Slot: But when the Dogs are all in full Cry, and take it right, the Huntſman may forthwith mount his Horſe, and coaſt to croſs the Hounds that are in Chaſe, obſerving to keep under the Wind, whereby he may help the Dogs at a Default. And if the Bloodhound in his Purſuit chance to over-ſhoot, and draw wrong or counter, then the Huntſman muſt keep him back by ſaying, *Back*, *back*, *Softly*, *ſoftly*, *&c.* 'till he hath ſet him right again; and when the Hound has mended his Fault, he is to be ſufficiently encourag'd.

The Huntſman is never to advance nearer the Hounds than ſixty Paces at moſt, eſpecially at the firſt uncoupling, or at caſting off their Relays; for by coming in over-haſty, you may ſometimes ſpoil the Slot, and thereby for want of Scent the Hounds will be apt to over-ſhoot the Chaſe.

If your Hounds are at a Default, and hunt in ſeveral Companies, you may then conclude that the Hart hath broken Herd from the freſh Deer, and that the freſh Deer have likewiſe ſeparated themſelves. In which Caſe you are to have a Regard to the old ſtanch Dogs; and where you obſerve any of the old Hounds challenge, encourage them, haſtening in the reſt of the Dogs by calling them by their ſeveral Names.

After running ſome Time, a Hart will commonly ſeek other Deer at Layr, and rouze them, and by this Means make the Hounds hunt Change. He will lie down flat in ſome of their Layrs upon his Belly, and the Hounds will over-ſhoot him: In this Caſe the Huntſman is to blemiſh at

ſuch Places as the Hart enters a Thicket; and if the Hounds hunt Change, he is to put them to thoſe Blemiſhes and the right Slot, till they have rouz'd the Hart again. And when a Hart is cloſely purſu'd, he'll break from one Thicket to another, rouzing and herding with other Deer for ſome Time; and when he is near ſpent, he'll break Herd, and fall a doubling and croſſing in hard Highways, where the Dogs will have a very imperfect Scent: or elſe betake himſelf to ſome River, (the laſt Refuge,) where he'll ſwim ſome Time without touching any Bough, to give the Dogs a Scent; and ſometims he'll cover himſelf under the Water, ſo that you can perceive nothing but his Noſe. And in all theſe Caſes, the Huntſman is to have a ſpecial Regard to his old Hounds, which hunt carefully and leiſurely.

If a Way be too hard for the Slot, be ſure to try far enough back: And if after hunting the Space of an Hour, you perceive the Hart makes out end-ways, before the Hounds, and that they follow in full Cry, the Huntſman may in this Caſe come pretty near the Dogs, to blow a Recheat for their Encouragement. But in the Heat of the Day, a Huntſman is not to force his Dogs much, eſpecially in a Champian Country: And when the Dogs are almoſt ſpent, it is ſufficient that they wag their Tails only, without calling.

If a Hart in the Chaſe turns about, and faces the Dogs at Bay, it is very dangerous to go in to him, eſpecially about the Time of Rutting, when they are moſt fierce. The Method of proceeding at this Time, is to couple up your Hounds; and when the Hart turns Head to fly, you may gallop in to him, and with your Sword kill him: Or if it be in woody Place, whilſt the Hart is ſtaring on your Hounds, the Huntſman may

may come covertly behind him, and cut his Throat.

When the Huntſman comes in to the Death of the Deer, the firſt Ceremony is to cry, *Ware Haunch*, that the Hounds may not break into the Deer: Then he is to cut his Throat, and blood the youngeſt Hounds, and teaching them to leap at the Throat of Deer. When this is done, he is to blow the Mort, for all the Company to come in, and the Perſons of the greateſt Note, who have never taken Say, are to do it in a ceremonious Manner, and the Deer is to be broke up. Which done, and the Dogs rewarded, a treble Mort and a whole Recheat is to be perform'd by all in Conſort, or if a Buck, only a double Mort; and a general *Whoo whoop* concludes the Ceremony.

If a Huntſman ſhould happen to fail in killing of a Hart, by being overtaken with the Night, or otherwiſe, he muſt follow the Hounds pretty cloſe, and well mark the Place where they left the Chace. The next Morning at Break of Day bring your Bloodhounds to it, with your Kennel after them; and if any Hound that may be depended upon vents, he is to put his Hounds to it, whooping twice, or blowing two Notes with his Horn. And if the Huntſman find the Covert or Grove that the Hart is gone into, then he muſt draw his Hounds about it, and beat a-croſs and through it. If there he renews the Slot or gets a View of the Hart, and he is ſatisfied 'tis the right, then he is to blow his Horn; for Dogs are animated by the Winding of the Horn and Voice of the Huntſman, like Soldiers to the Battle by the elevating Sounds of the Trumpet and the Drum.

Harts, when they are hunted, moſt commonly run up the Wind, and ſtraight forwards as far as they are able; and when they have been hunted ſo as to be far ſpent, it is a common Thing to find ſeveral Layrs together, by reaſon they cannot ſtand, but they lie and feed.

Sometimes the Hart, when he is cloſe purſu'd, will fly into Herds of Cattle, as Cows, Sheep, &c. leaping on an Ox or Cow, and laying the Fore-parts of his Body thereon, ſo that he touches the Earth only with his Hinder-feet, and leaves a very ſmall or no Scent at all behind for the Hounds. And I have read of a Hart hunted in *France*, that leap'd into a great White-thorn which grew in a ſhady Place as high as a Tree, environed with ſmall Shrubs about it, and there ſtood aloft (the Boughs ſpreading from one to another, and ſurrounding him) 'till the Huntſman diſcover'd him, and thruſt him down.

It is the Manner of theſe Beaſts of Chace, when they ſee themſelves every Way intercepted, to make Force at the Perſon that firſt comes in to them with their Horns, unleſs prevented by Sword or Spear; and the Sportſman is ſometimes obliged to a Tree for his Refuge. And it is obſerv'd, that when a Hart pricketh up his Ears, he windeth ſharp, very far and ſure, and diſcovereth all Treachery againſt him; but if the Ears hang down, and move, he perceiveth no Danger.

Directions to know and find the Hart.

To know an Hart by the Slot, you are to look carefully on the Treadings of his Foot; and if you find the Treadings of two, the one long, the other round, yet of equal Bigneſs, the long Slot declares the Hart to be much the largeſt. But there is no certain Rule to know the Beaſt by the Slot, without a due

Regard

Regard to the Situation of the Country; for Harts bred in a ſtoney Mountainous Country have commonly their Toes and Sides of their Feet worn, by continually climbing and paſſing over the rugged Plains; and in ſoft Sandy Ground they ſlip upon the Heel by reaſon of their Weight, and by frequent reſting themſelves on that Part of the Foot, the Heel grows broader.

To know the Age and Size of a Hart by other Means, you are to have a Regard to the Fewmiſhing in the Months of *April* and *May*. If the Fewmets are large, of conſequence the Hart is old: And the Entries into the Thickets will ſhew the Height and Thickneſs of the Hart. By the Height of the Entry we judge the Age of an Hart; for young Deer always creep low; and the old Hart's Hind-foot never over-reacheth the Fore-foot, as the young one's doth.

The Gate of a Hart will ſhew its Largeneſs, a long Step is a certain Sign: And ſuch a Deer will ſtand up very long, unleſs it be when he leaves a great Slot, which is a Sign of an old Deer.

The laſt Method of knowing Deer is by the Fray: They will frequently beat their Heads againſt ſome Tree or other, which is called their Fraying-Poſt. The old Hart goeth ſooneſt to Fray, and chuſeth a large Tree, ſuch as he cannot bend with his Head; and the younger Deer chuſe weaker and leſſer Trees, and fray lower than the old ones. This is the laſt Ceremony they uſe before they enter their Harbours.

There are ſeveral Ways of knowing the Hart on View; but I ſhall only mention, that when the firſt Antlier is large, long, and near to the Bur, the Surantlier near to the Antlier, and both well pearl'd, the reſt of the Branches, which are

higher, well order'd, ſet, and well grown, theſe are certain Signs of an old Hart.

To find the Harbour of a Stag: The Harbourer is firſt to teach his Hounds to draw mute; then he is to beat round the Outſide of the Covert, and when his Hounds challenge, his next Thing is to ſeek the Slot of the Deer; and having obſerv'd the Slot, the Entries of the Hart, and Fraying-Poſt, *&c.* whereby he may know the Bigneſs of the Deer, draw with more Circumſpection, checking your Draught-hound to ſecure him from ſpending when he comes near enough to have the Deer in the Wind, which you may diſcover by his Eagerneſs; and you ought then to draw him, and having retir'd ſome Diſtance back, you are with your Hound to ſurround the Place firſt at a conſiderable Diſtance; and then if you give him no Diſturbance, you may venture to make your ſecond Round a little within the firſt, which will ſecure him in the Harbour; for he will not paſs that Taint your Hound hath left in the rounding of him without Force. And here the Huntſman may ſet up a Bough for his Direction, and unharbour the Hart at his Pleaſure.

If the Weather be hot, and the Huntſman is to find the Harbour of the Hart in a high Wood, he is to obſerve that at ſuch Times the Deer diſperſe themſelves into ſmall Thickets, Groves, *&c.* near to Places of good Feeding: And ſometimes the Hart will lie in the Tufts of Whitethorn, ſometimes under little Trees, and other Times under great Trees in the high Woods, in the Skirts of the Foreſt, and under the Shelter of little Groves. So that according to the Coverts which are in the Foreſt, the Huntſman is to make his Enquiry; and muſt have his Ring-walk great or ſmall, in Proportion to the Largeneſs of the Harbours or Coverts.

The

The Haunts or Feeding-places of the Hart are very various, according to the Seaſons of the Year, they changing their Manner of Feeding almoſt every Month. In *January*, *February*, and *March*, they leave Herding, keeping not above four or five in a Company; and they'll frequently feed on the Winter Paſture in the Corners of the Foreſt; and when Wheat, Rye, &c. appear above Ground, they are very inclinable to make Incurſions into the neighbouring Corn-Fields.

In *April* and *May* they reſt in their Thickets, and other Buſhy and Shady Places. In *June*, *July*, and *Auguſt*, they are in their Pride of Greaſe, and reſort to ſpring Copices near Corn-Fields. In *September* and *October* they leave their Thickets, and go to Rut; during which Seaſon they have no certain Place either for Food or Harbour. This Rutting-ſeaſon continues 'till *December*, when they herd together, and withdraw themſelves into the Strength of the Foreſts, to ſhelter themſelves from the cold Winds, Froſts, &c. and feed on Haws, green Boughs, &c. and in a ſevere Seaſon of Snow they'll peel the Trees, like unto the Goat.

Some Harts are ſo cunning, that they have two ſeveral Layrs to harbour in, a conſiderable Diſtance from each other; to which they frequently ſhift themſelves for greater Security, always taking the Benefit of the Wind.

Of caſting the Head, Names of Deer, &c.

The Matter whereof the Horns of Deer conſiſts is dry and earthy, like the Subſtance of green Leaves, which have a yearly Fall, for want of a Continuance of Moiſture to effect their Duration. And they are not rooted upon the Scull, but only within the Skin. The new Bunches

Bunches ſwelling up towards the Spring, thruſt off the old Horns, by the Aſſiſtance of Boughs of Trees, &c. And when they have loſt their Horns, in the Day-time they hide themſelves in the Shades, and feed only in the Night, not forſaking their ſolitary Dwellings till their Velvet Heads increaſe in Strength, and they have ſufficiently tried their new Horns againſt large Trees; and when on ſuch Trial they feel no longer Pain, they betake themſelves to the Company of their Fellows.

The Time of caſting their Heads is about the Months of *February* and *March*; but the old Hart caſteth his ſooner than the young ones. Having caſt their Heads, the old Deer immediately withdraw to ſome Thickets furniſh'd with good Water and ſtrong Feeding, near Wheat or Peaſe ſown, if they can: But the young Harts never betake themſelves to the Thickets 'till they have born their Head, in their fourth Year.

In *March* and *April*, after they have mewed, they will begin to button; and as the Sun encreaſes in Strength, and the Seaſon of the Year puts forward the Crop of the Earth, ſo will their Heads increaſe, and about the Middle of *June* be full ſumm'd.

It has been obſerv'd, that if you geld a Hart when he hath a Head, he will never after caſt it; and if you geld a Hart before he hath an Head, he will never bear any.

The Diverſities of Heads, according to Hunters Terms, are as follows: The firſt Head is called a Crown-top, becauſe the Croches are ranged in Form of a Crown. The ſecond Head is called a Palm'd-Top, by reaſon the Croches are form'd like a Man's Hand. All Heads which bear not above three or four, the Croches where-

of

of are plac'd aloft, and all of one Height, in Form of a Cluſter of Nuts, are called Heads of ſo many Croches. Thoſe Heads which bear two in the Top, or have their Croches doubling, are called Forked-Heads. And thoſe Heads which have double Burs, or the Antliers, Royals, and Croches turn'd downwards, contrary to their Heads; theſe only are called Heads.

The Bur is next the Head; and that which is about the Bur is called Pearls. The firſt is called Antlier, the ſecond Surantlier; and all the reſt which grow afterwards, until you come to the Crown, Palm, or Croche, are call'd Royals and Sur-royals: The little Buds or Broches about the Top are call'd Croches.

That which beareth the Antliers, Royals, and Tops, is called the Beam; and the little Streaks therein are call'd Gutters: That which is about the Cruſt of the Beam is term'd Pearl; and that which is about the Bur it ſelf is form'd like little Pearls.

For the Names of Deer: A Hart is called the firſt Year a Hind-Calf, or Calf; the ſecond Year a Knobber; the third Year a Brok; the fourth Year a Staggard; the fifth Year a Stag; and the ſixth Year a Hart. And at one Year old the Hart has nothing but Bunches; at two Years the Bunches appear larger and more perfect; at three Years they grow into two Spears; at four Years they grow into three Spears; and ſo increaſe in the Branches every Year, 'till he is arrived to ſix Years of Age: And after that Time the Age is not certainly to be diſcover'd by the Head.

The Hind is call'd the firſt Year a Calf; the ſecond Year a Hearſe, or Brock's Siſter, *&c.* and the third Year a Hind.

The

The Buck is called the firſt Year a Fawn; the ſecond Year a Pricket; the third Year a Sorel; the fourth Year a Sore; the fifth Year a Buck of the firſt Head; and the ſixth Year a Great Buck.

The Doe is called the firſt Year a Fawn; the ſecond Year a Teg, and the third Year a Doe.

The Roe is called the firſt Year a Kid, the ſecond Year a Gyrle; the third Year a Hemuſe; the fourth Year a Roe-buck of the firſt Head; the fifth Year a Roe-buck.

The Fox is call'd the firſt Year a Cub; the ſecond Year a Fox. The Martern is likewiſe call'd the firſt Year a Cub; and the ſecond Year a Martern. And the Hare is call'd the firſt Year a Leveret; the ſecond Year a Hare; and the third Year a Great Hare.

The Hind commonly carries her Calf eight or nine Months; and ſome of them have two at once: They fall in *May*. And Harts and Hinds are very long liv'd; it is ſaid they will live near a hundred Years.

One Male is ſufficient to cover ſeveral Females: And at their Time of Rutting, in *October*, and alſo in *May*, they are ſo intent upon their Sport, that it is dangerous for any Man to come near them; for they will at this Seaſon make at any living Creature. The older the Hart is, the hotter, and the better belov'd by the Hinds: But when a Month or ſix Weeks is paſt, they grow tamer, and retire to their ſolitary Places, the Female, after ſhe is filled, never keeping Company again with the Male until ſhe is deliver'd.

Buck-Hunting. The Nature and Property of the Buck differs very little from the Hart.

But in hunting the Buck 'tis obſerv'd, that he oftentimes betakes himſelf to ſuch ſtrong Holds and

and Coverts as he is moſt acquainted with, not flying far before the Hounds, nor croſſing nor doubling, or uſing ſuch Subtilties as the Hart is accuſtom'd to do.

The Buck will beat a Brook or River not very deep; but he cannot ſtay ſo long at the Soil as the Hart will do. And Bucks love not one another, nor will they come near each other's Layr.

There is not ſo much Art and Skill requir'd for the lodging a Buck, as in the harbouring a Hart; neither is ſo much drawing after neceſſary: You are to judge by the View and Mark what Covert he entereth; wherein you will obſerve that he will not wander ſo much as a Hart, nor ſo frequently change his Layr.

The greateſt Difficulty a Huntſman has to encounter in hunting a Buck is, to guard againſt hunting counter or change; for amidſt the Plenty of Fallow Deer, they come more directly upon the Hounds than the Red Deer will do.

The Buck delights to lye in Hilly Places, but to feed in the Dales: He herds more than the Hart, and lieth in the drieſt and moſt healthy Ground. But if your Bucks are at large, not confin'd within the Limits of a Park, they will (by reaſon of the Flies) herd but little from *May* to *Auguſt*.

In their Horns, the Buck varies very little from the Hart: The Quantity makes the greateſt Difference; and they grow out of their Heads like Fingers out of the Hand: Such is this Fallow Deer.

The Colours of the Buck are various: But they are moſt commonly branded or ſandy, having a black Liſt along the Back; their Bellies and Sides ſpotted with White, which they loſe

loſe by their old Age. And the Does differ in Colour more than the Buck, being ſometimes all White, and like unto Goats, except in their Hair, which is ſhorter.

And there is a great Variety of Colours amongſt theſe Deer, ſuch as White, Black, Spotted, Roan Colour, Poy'd, &c. which make a beautiful Mixture in the Gentleman's Park.

Laws and Statutes relating to Deer.

The Statute of 5 *Eliz. cap.* 23. gives treble Damages for unlawful Hunting in Parks, &c.

And by the Statute of 13 *Car.* 2. it is enacted, That if any Perſon ſhall courſe, kill, hurt or take away any Red or Fallow Deer in any Ground where Deer are kept, without the Conſent of the Owner or Perſon entruſted with the Care thereof, or ſhall be aiding or aſſiſting therein, being convicted by the Oath of one Witneſs before one Juſtice of Peace, he ſhall forfeit 20*l.* one Half to the Informer, and the other Half to the Owner of the Deer; to be levied by Diſtreſs: And for want of Diſtreſs, the Party to be committed to the Houſe of Correction for ſix Months, or common Goal for a Year; and afterwards be bound to the Good Behaviour for one Year. But none puniſhed by this Act ſhall incur the Penalty of any other; and the Proſecution is to be within ſix Months.

By the Statute of 3 & 4 *W. & M. cap.* 10. If any Perſon in the Night-time ſhall pull down or deſtroy the Pales or Walls of any Park, Foreſt, &c. or other Ground incloſed, wherein Red or Fallow Deer are kept, he ſhall be committed to the Priſon for three Months.

The Statute of 3 & 4 *W.* likewiſe enacts, That if any Perſon ſhall unlawfully courſe or hunt Deer in any Foreſt, Park, &c. without Conſent

Conſent of the Owner, he ſhall forfeit 20 *l.* And if any Perſon ſhall take them with Toils, kill, wound, or carry away Deer in or from any Park, he ſhall forfeit the Sum of 30 *l.* for every Deer, to be levied by Diſtreſs, and divided into three Parts, one whereof to go to the Informer, another to the Poor, and the other to the Owner of the Deer. And if no Diſtreſs can be found, the Party offending ſhall be impriſon'd for twelve Months, and ſtand in the Pillory in the next Market-Town. Aiding and aſſiſting likewiſe incurs the ſame Penalty; and lending Dogs to kill Deer, or Horſes to hunt and carry them away, is declar'd to be aſſiſting.

By the ſame Statute, one Juſtice of Peace is empower'd to iſſue out his Warrant to a Conſtable, *&c.* when Information is given that Deer are ſtolen, to make a Search as for any ſtolen Goods; and ſuch Conſtable may enter and ſearch the Houſes of ſuſpected Perſons: And if he diſcovers any Veniſon, or Skins of Deer, or Toils, he is to carry the Party before the Juſtice; and if the Party do not there give a good Account how he came by the ſame, and produce the Party of whom bought, or prove the Sale upon Oath, he ſhall be convicted of the Offence, and be ſubject to the Penalties for killing of Deer.

Where any Perſon is convicted of Deer-ſtealing, no *Certiorari* ſhall be allow'd to remove the Conviction, or other Proceeding, until the Party convicted ſhall enter into Bond of 50 *l.* Penalty to the Proſecutor, with Sureties to be approv'd by a Juſtice of Peace, to pay full Coſts, if the Conviction ſhall be confirm'd within a Month after ſuch Confirmation, or a *Procedendo* granted.

It is Felony to ſteal Deer, Coneys, *&c.* when they are reduc'd to Tameneſs: But to take them in the Park or Warren of any Perſon is no Felony, by reaſon they are there *Feræ Naturæ.*

If any Foreſter or Keeper of a Park ſhall take any Perſon hunting without lawful Authority, or find any Perſon within the Foreſt, *&c.* furniſh'd with Greyhounds, *&c.* to kill Deer intending to offend there; he may arreſt and impriſon him, and the Offender ſhall not be deliver'd without ſpecial Warrant. But in the laſt Caſe he is bailable, if not taken in the Manner, as with a Bow ready to ſhoot at Deer, drawing a Dog to recover it, carrying away Deer kill'd, or is beſmear'd with Blood. *Stat.* 1 *Ed.* 3.

Every Lord of Parliament, both Spiritual and Temporal, ſent for by the King, may in coming and returning kill a Deer, or two, in the King's Foreſt, Chace, or Park, through which he paſſeth. But this ought not to be done privately, but by the View of the Foreſter, if preſent; and if abſent, by cauſing one to blow a Horn for him, otherways he may ſeem to ſteal the Deer. *Chart. Foreſt. c.* 11.

A Conciſe ABRIDGEMENT *of the* FOREST-LAWS.

A Foreſt is the moſt noble Conſervatory for Game, and contains a Circuit of Woody Grounds and Paſtures, known in its Bounds, and priviledged by Royal Authority, for the ſecure keeping of Beaſts of Chace. *Co. Littl. fo.* 233.

And

And it differs from a Park in many Reſpects, as in having Laws for its Government, *&c.* and particularly in that it contains the King's Game, and a Park only that of a Subject.

A Chaſe is much like unto a Foreſt, (*viz.*) a large Quantity of Ground privileg'd for Wild Beaſts, but lying open. *Kelw.* 14, 15. And a Foreſt in the King's Hand, is no more than a Chace when in the Hands of a Subject. *Cromp. Jur.* 148. But Chaſes that never were Foreſts cannot have any Purlieu. *Co.* 4 *Inſt.* 303.

Purlieus are certain Lands adjoining to Foreſts, which in ancient Times were Part of the Foreſt, but have been ſince diſafforeſted. And in any Purlieu a Man may lawfully hunt as far as his Ground extends; for the Wild Beaſts belong to the Purlieu Man ſo long as they remain in his Grounds, and he may lawfully kill them.

If a Purlieu Man chaſe Deer with Greyhounds, and they fly towards the Foreſt, he may purſue them to the Bounds of the Foreſt, then uſing his utmoſt Endeavours to take off the Dogs from the Purſuit; and if the Dogs follow the Deer nevertheleſs in the Foreſt, and kill the King's Deer there, this is no Offence, if the Owner doth not enter into the Foreſt, nor meddle with the Deer kill'd. And if the Dogs, faſtening upon the Deer before they recover the Foreſt, are dragg'd into the Foreſt by the Deer, the Purlieu Man may in this Caſe follow his Dogs, and juſtify taking the Deer. *Co.* 4 *Inſt.* 303.

Though the Purlieu Man hath a Power to hunt on his own Ground, yet the Ranger of the Foreſt may, as often as any Deer ſhall reſort to the Purlieu, be permitted with his Hound to come and rechaſe them back again; and that notwithſtanding theſe Purlieus are abſolutely diſafforeſted. *Co. ibid.*

The

The Charter of the Foreſt of *Canutus* the *Dane*, King of *England*, granted at *Wincheſter* in the Year 1062, being very particular, and for its ancient Date a Curioſity worthy communicating to my Readers, I here preſent you with it.

The Charter of Foreſt, granted by K. Canutus.

I. There ſhall be from henceforth four of the beſt of the Freemen, who have their accuſtom'd Rights ſecur'd, conſtituted in every Province of the Kingdom, to diſtribute Juſtice, together with due Puniſhment, as to the Matters of the Foreſt, to all People throughout the whole Kingdom; which four Perſons ſhall be called the Chief Men of the Foreſt. And theſe are now called Verderors.

II. There ſhall be under every one of theſe four one of the middle Sort of Men, who ſhall take upon them the Care and Charge as well of the Vert as the Veniſon. And theſe Perſons are at this Time called Regardors.

III. But ſuch Perſons are not to concern themſelves in the Adminiſtration of Juſtice; though after their taking upon them the Care of the Beaſts of the Foreſts, they ſhall be reputed Freemen.

IV. Under every one of theſe ſhall be two of the meaner Sort of Men, Foreſters, (now call'd Keepers) to take Care of the Veniſon by Night, and undergo other ſervile Offices.

V. Such mean Servant ſhall be free as ſoon as he takes his Place in the Foreſt, and be kept at the King's Charge.

VI. Alſo every one of the Verderors ſhall have every Year two Horſes, one with a Saddle, and another without, one Sword, five Lances, one Head-piece, one Shield, and two hundred Shillings in Silver.

VII. Every

VII. Every one of the Regardors to have one Horſe, one Lance, one Shield, and ſixty Shillings in Silver.

VIII. Every one of the Keepers one Lance, one Croſs-Bow, and fifteen Shillings of Silver.

IX. That all them, as well Verderors, Regardors, and Foreſters or Keepers, ſhall be free from all provincial Summons and popular Pleas, and from all Taxes concerning the Wars, and from all foreign Plaints.

X. That the Cauſes of the Regardors and Foreſters, and their Corrections, as well Criminal as Civil, ſhall be adjudged and decided by the Wiſdom and Diſcretion of the Verderors: But the Crimes of the Verderors to be puniſhed by the King.

XI. The four Verderors ſhall have a Royal Power, and four Times in the Year hold the general Demonſtrations of the Foreſt, and the Forfeitures of Vert and Veniſon, where they ſhall all of them hold Claim or Challenge of any Thing touching the Foreſt, and ſhall proceed to a threefold Judgment, the Party taking with him five others. But the Purgation of Fire ſhall not be admitted, unleſs the Truth cannot otherwiſe be diſcover'd.

XII. But a Freeman (if his Crime be not *inter maritos*) may have an honeſt Man to take an Oath for him; and if he hath not ſuch a Perſon, he ſhall be obliged to ſwear himſelf.

XIII. If a Stranger or Foreigner be challeng'd of the Foreſt, and his Circumſtances are ſo mean that it is not in his Power to procure a Pledge to his firſt Challenge, then he ſhall undergo the King's Caption, and there he ſhall ſtay until he ſuffers the Judgment of Iron and Water. But yet if any Perſon ſhall offer Violence to a Foreigner

Foreigner that is an Offender, he that injures him ſhall have the Judgment executed upon himſelf.

XIV. Whoſoever ſhall before the Verderors of the Foreſt be guilty of Perjury, and thereof be convicted, ſhall be incapable for ever afterwards to be a Witneſs, or give his Teſtimony in any Cauſe: He ſhall loſe the Benefit of the Law, and pay ten Shillings for the Uſe of the King.

XV. Whoſoever ſhall offer any Violence to the Verderors of the Foreſt, if he be a Freeman, he ſhall forfeit his Liberty and all that he hath; and if he be a Villain, his Right-hand ſhall be cut off.

XVI. And if any ſhall offend again in the like Nature, he ſhall ſuffer Death.

XVII. In like Manner, if any Perſon ſhall contend in a Suit with either of the Verderors, he ſhall forfeit his Subſtance to the King, and pay to the Verderor 40*s.*

XVIII. If any Perſon ſhall commit a Breach of the Peace before the Regardors of the Foreſt, he ſhall forfeit 10*s.* to the King.

XIX. Whoſoever ſhall ſtrike any of the Regardors of the Foreſt in Anger, ſhall be liable to the ſame Forfeiture as for killing a Royal Beaſt of the Foreſt.

XX. If any Perſon ſhall be taken offending in the Foreſt, he ſhall ſuffer Puniſhment according to the Manner and Quality of his Offence.

XXI. The Puniſhment and Forfeiture ſhall not be the ſame of a Freeman, as of one that is not free; of a Maſter and Servant; of one that is known, and one that is not known: Nor ſhall the Management of Cauſes, either Civil or Criminal, of the Beaſts of the Foreſts, and of the Royal Beaſts of the Vert, and of the Veniſon,

ſon be one and the ſame: For the Crime of Hunting hath been always deſervedly ranged amongſt the greateſt Offences that can be committed in the Foreſt; but that of Vert is eſteem'd ſo trivial, that the Foreſt Law ſcarcely takes Notice of it: Nevertheleſs, he that offends therein is guilty of a Treſpaſs in the Foreſt.

XXII. If any Freeman ſhall courſe or hunt a Beaſt of the Foreſt, ſo that by the Swiftneſs of Courſe the Beaſt pants, and is put out of Breath, ſuch Freeman ſhall forfeit 10 *s.* to the King; and if he be not a Freeman, he ſhall forfeit double.

XXIII. But if the firſt ſhall kill any Beaſt of the Foreſt, he ſhall pay double, the ſecond Time as much, and the third ſhall forfeit as much as he is worth to the King.

XXIV. And if any or either of them by Courſing or Hunting force a Royal Beaſt or Stag to pant, and be out of Breath, the Freeman ſhall be depriv'd of his Liberty for a Year, and the other for two Years; but the Bondman ſhall be eſteemed an Out-law.

XXV. But if ſuch a Royal Beaſt be kill'd by any of them, the Freeman ſhall loſe his Freedom, the other his Liberty, and the Bondman his Life.

XXVI. Biſhops, Abbots, and Barons, ſhall not be challeng'd for hunting in the Foreſt, unleſs they kill Royal Beaſts; but if they kill ſuch, they ſhall make Satisfaction at the Pleaſure of the King.

XXVII. There are ſome Beaſts, beſides Beaſts of the Foreſt, which are to be accounted for by the Laws of the Foreſt, while they are within the Limits thereof, (*viz.*) Wild Goats, Hares, and Coneys. And there are alſo a great Number of Cattle, within the Limits of the Foreſt,

reſt, under the Care of the Regardors, which cannot be reputed Beaſts of the Foreſt. And Foxes and Wolves, they are neither reckoned as Beaſts of the Foreſt, or of Venery; and therefore whoever kills them is not liable to any Forfeiture: Nevertheleſs the killing them within the Limits of the Foreſt, is a Breach of the Royal Chaſe, and the Offender ſhall make a ſmall Recompence or Acknowledgement of the ſame. But a Wild Boar, notwithſtanding he is a Beaſt of the Foreſt, was never eſteem'd a Beaſt of Venery.

XXVIII. No Man ſhall touch or meddle with the Wood or Underwood of the Foreſt without Licence of the Verderors; and if any offend herein, it is a Breach of the Royal Chaſe.

XXIX. But if any Perſon ſhall cut down a Holly-Tree, or any other Tree that produces Food for the Wild Beaſt, beſides making Satisfaction for the Breach of the Royal Chaſe, he ſhall forfeit to the King the Sum of 20*s.*

XXX. It is ordain'd, that every Freeman ſhall take Veniſon or Vert upon his own Grounds (being out of the Chaſe) at his Pleaſure.

XXXI. No Man of mean Condition ſhall keep any Greyhounds. But Freemen may keep ſuch Dogs, provided their Knees are cut before one of the Verderors of the Foreſt, or without cutting their Knees, provided the Dogs are kept ten Miles from the Limits of the Foreſt. But if the Greyhounds ſhall be brought any nearer to the Foreſt than that Diſtance, the Owner ſhall pay 1*s.* for every Mile. And if any of the ſaid Dogs be found within the Precincts of the Foreſt, the Maſter ſhall forfeit his Dog, and 10*s.* in Money.

XXXII. But

XXXII. But the little Dogs, which manifeſtly appears there is no Danger from, it ſhall be lawful for any Perſon to keep without cutting their Knees.

XXXIII. But if it happens that ſuch Dogs become mad, and run at large by the Negligence of their Maſters, this is unlawful, and the King ſhall be recompenc'd for the Damage, *&c.* But if they ſhall be taken within the Precincts of the Foreſt, the Owners ſhall be found out, and pay a Penalty of a mean Man, which by an antient Law is two hundred Shillings.

XXXIV. If a mad Dog ſhall bite a wild Beaſt of the Foreſt, the Owner thereof ſhall make Recompence according to the Price of a Freeman, which is twelve Times a hundred Shillings. But if a Royal Beaſt ſhall be bitten by ſuch mad Dog, the Owner ſhall be guilty of the greateſt Crime.

Theſe were the Laws of *Canutus*, who was the firſt that ſet Bounds and Limits to Foreſts; and they were afterwards confirm'd by St. *Edward* the Confeſſor, *William* the Conqueror, *Henry* I. *Henry* II. and *Henry* III. who made the famous *Charta de Foreſta*. I now proceed to ſuch Informations which may be neceſſary, and worthy the Knowledge of a Sportſman, from the ſeveral Foreſt-Laws to this Time.

Courts of the Foreſt.

And firſt, a Foreſt being made and Officers appointed, there are (beſides certain proper Laws) Courts which are incident to, and inſeparable from the ſame, as a Court Baron is incident to a Manor, a Court of Piepowders to a Fair, *&c.*

Theſe Courts are, the Court of Attachment, the Court of Swainmote; and the Court of the Lord Chief Juſtice in Eyre.

The Court of *Attachment* (in antient Times call'd the Woodmote Court) is held by the Charter of the Foreſt, to redreſs Injuries done to the Vert or Veniſon; but it is only a Court of Enqueſt, for an Offender cannot in this Court be convicted, neither can he be attach'd by his Body, unleſs he is actually taken committing the Offence in the Foreſt; but by his Goods he may be attach'd. 1 *Inſt.* 289.

This Court, by *Charta de Foreſta*, is to be kept once every Forty Days throughout the Year; and if it be kept at any other Time, either ſooner or later, the Proceedings are void.

If any Offence be committed in the Foreſt in relation to Underwood, *&c.* or the Vert, the Offender may be attach'd by his Goods to appear at the next Court of Attachment, in the ſame manner as the Sheriff makes an Attachment at Common Law, to appear at the Tourn or County-Court. And when the Attachment is made, the Foreſter is to acquaint the Owner of the Goods therewith, for what Cauſe it is done, and ſummon him to appear at the next Court of Attachment, there to find Pledges to anſwer, *&c.*

The Foreſter is to keep the Goods attach'd until the next Court, when he is to expoſe them to the View of the Verderors, and to preſent the Offence. If the Defendant doth not then appear, the Goods attach'd are forfeited, and ſhall be ſold for the Uſe of the King; and the Offender ſhall be attach'd a ſecond and a third Time, and ſo *ad infinitum*, until he appears and gives Security to anſwer at the next Court of the Juſtice in Eyre, and then his Goods are to be delivered up to him.

Theſe Attachments of Goods are made for all manner of ſmall Treſpaſſes, where the Defendant is not actually taken committing the Offence; and

if

if the Defendant be taken in the Offence, the Foreſter is to attach his Body, and bring him before the Verderors at the Court of Attachment, there to find Sureties to anſwer before the Chief Juſtice in Eyre.

Where any Perſon ſhall make *Aſſarts* or Purpreſtures in the King's Lands or Woods, there the Foreſter may attach the Body of the Offender, and compel him to produce Pledges to anſwer the Offence at the next Court of Attachments; and upon his making his Appearance there, he is to be mainpriz'd until the coming of the Juſtice in Eyre.

Where the Value of the Treſpaſs is above 4 *d.* it muſt be enroll'd in the Court of Attachment by the Verderors, and ſent from thence to the Court of Swainmote, to be tried there according to the Laws of the Foreſt; but if the Treſpaſs is under the Value of 4 *d.* the Court of Attachment may determine the ſame; wherein the Verderors are to aſſeſs a Fine, and cauſe the ſame to be levied for the Uſe of the King, making an Entry thereof on the Rolls.

The Court of *Swainmote* is a Court held within the Foreſt, to which all the Freeholders owe Suit and Service, as the Tenants to a Lord of a Manor in a Court-Baron: Theſe Courts of Swainmote are to be held three Times in a Year, *viz.* Once fifteen Days before the Feaſt of St. *John* the Baptiſt; Once fifteen Days before *Michaelmas*; and the third Court to be held about the Feaſt of St. *Martin* in the Winter. The Verderors are Judges of this Court, but at every Court there muſt be a Steward learned in the Laws of the Foreſt. *Aſſiſ. Foreſt. c* 22.

Preſentments of Offences in Vert and Veniſon, are to be made in the next Swainmote before the Verderors, Regarders, Foreſters, Agiſtors and other

Miniſters of the ſame Foreſt, *&c.* and Indictments made in any other manner, ſhall be void.

And by the Statute 1 *Ed.* 3. *c.* 8. the Freeholders and all other good and lawful Men of the Foreſt, are to appear at this Court, and make Inqueſts, Juries, *&c.*

The Steward generally gives in Charge at this Court, ſeveral Offences, *viz.* Selling Acorns, Agiſtments to the prejudice of the Deer, Aſſarts, Deer kill'd without Warrant, Dogs not taken up paſſing through the Foreſt, Extortions of Officers, Fences neglected, whether any Hares kill'd in the Foreſt, Hogs in the Foreſt not ring'd, the Number put in, Hunting, Incloſing any part of the Foreſt, Meers, Mills out of Repair, Mines, Nets kept by Perſons, Pounding Cattle, Purlieus, unlawful Hunting there, Purpreſtures, Sheep, Suit and Service, Surcharge of the Foreſt, Timber fell'd, Vert, felling Oaks, *&c.* Waifs and Strays, Ways, Warrants executed, *&c.*

Offences committed in the Purlieus, may be tried in this Court, but no Judgment is to be given, or Execution awarded, 'till determined at the Court of the Juſtice in Eyre. 4 *Inſt.* 289.

The Court of *Juſtice-Seat* is a Court held by the Chief Juſtice in Eyre of the Foreſt; and it cannot be held oftner than every third Year, when the Preſentments of the Court of Attachment and Indictments of the Swainmote, enter'd on the Rolls by the Verderors, and ſeal'd with their Seals, are to be preſented to the Chief Juſtice.

The Chief Juſtice of the Foreſt is an Officer of great Honour and Authority; and the Office is to be executed by a Peer who is a Privy Counſellor. When he is made Chief Juſtice in Eyre by the King's Commiſſion, he has in all Caſes, Power equal to any other Juſtice of Oyer; and he can puniſh

puniſh all Treſpaſſes of the Foreſt, according to the Laws of the Foreſt, determine Claims of Liberties, Franchiſes, *&c.* But if a Juſtice-Seat ſuffer any Injuſtice, or permit Claims where they ought not, the Record may be removed by *Certiorari* into the King's Bench, and be determined there.

The Juſtices of the Foreſt are to puniſh Offenders indicted at the Swainmote, being preſented before them at the Seſſions, by Fine and Impriſonment at their Diſcretion. And Juſtices in Oyer, and Juſtices of Peace, and all other Juſtices, but the Juſtices of the Foreſt, are prohibited to hear and determine Offences of the Foreſt. *Charta Foreſtæ*, c. 16.

Treſpaſſes committed in a Foreſt, are to be tried only by the Juſtices of the Foreſt, and are puniſhable only by *Charta Foreſtæ*; the Foreſt-Laws being appointed for that Purpoſe, and differ from all other Laws. 21 *H.* 7.

The Court of Juſtice-Seat, may puniſh Miſbehaviour or abuſive Words, by impoſing a Fine. And at a Court of Swainmote when a Preſentment was made of Trees felled, the Party declared in the Court, that the Buſineſs was carried againſt him with a high Hand, that when the Proſecutors had done, he would have the Matter heard in another Place and ſtick cloſe to them, *&c.* for which he was fined 100 *l.* and committed until he paid it. Sir *Chr. Howard*'s Caſe, *Jones*'s *Rep.* 274.

When a Court of Juſtice-Seat is to be held, the Chief Juſtice iſſues out his Warrant or Precept, to the Sheriff of the County in which the Foreſt lies, requiring him to ſummon all Archbiſhops, Biſhops, Earls, Barons, Knights, and others their free Tenants, who enjoy any Lands or Tenements within the Bounds of the Foreſt: And alſo to ſummon four Men and the Reeve, and out of every

ancient Borough within the Limits of the Foreſt, twelve good Men and other Freeholders, who ought to appear before the Chief Juſtice in Eyre, to compel them to make their Appearance accordingly upon a particular Day.

The Sheriff is likewiſe to make Proclamation in the ſeveral Boroughs, Towns, Fairs, Markets, and other publick Places throughout the County, That all Perſons who claim to have any Grants of Liberties, Franchiſes, or free Cuſtoms in the Foreſt, ſhall appear before the Chief Juſtice in Eyre, or his Deputy at the ſaid Day and Place, to ſet forth the Extent of their Liberties; and that all Perſons who are attached for Vert or Veniſon in the Foreſt ſince the laſt Court, and all Pledges and Manucaptors who were bound to appear, that they ſhall appear accordingly.

This Proclamation made by the Sheriff, of the holding this Court, is to be made forty Days before the ſame is held.

Before the holding of the General Seſſions, the Chief Juſtice is likewiſe to iſſue out a Writ directed to the Sheriff, with a ſhort Abſtract of all ſuch Matters, as the Regarders of the Foreſt are to inquire into, annexed to it; and when the Regarders have made their Range, and affirmed at the Swainmote or Court of Attachments, all ſuch Things which they found in their Survey, they are to preſent the ſame to the Chief Juſtice in Eyre.

When the Juſtice in Eyre, and thoſe in Commiſſion with him, are come to the Place appointed for holding of the Court, the Commiſſion is to be firſt read, then the Officers are to be called, and the Liſts of Names of the Freeholders, and all other Perſons who were ſummoned to appear, are to be called over: Then out of the Freeholders, and

and other ſubſtantial Perſons preſent, there muſt be choſen a Jury of 24, 20, or 18, who are to have Oaths adminiſtred to them, to inquire and true Preſentment make of all ſuch Things which ſhall be given them in Charge.

The Charge to the Jury, and Precedents of Warrants, Precepts, &c. you'll find at large in *Manwood's Foreſt-Laws.*

There is but one Chief Juſtice on this Side *Trent*; and the Court of Juſtice-Seat is commonly held by Deputy. *Anno* 16 *Car.* 1. the Earl of *Holland* Chief Juſtice in Eyre appointed Mr. Juſtice *Jones*, Baron *Trevor*, and Serjeant *Bridgeman*, Deputies, to hold a Juſtice-Seat at *Dean* for the Foreſt of *Dean* in *Glouceſterſhire*; but the King generally appoints Aſſociates to the Chief Juſtice.

Officers of the Foreſt.

The *Chief Warden* of the Foreſt is a great Officer, and is next to the Juſtice of the Foreſt, to bail and diſcharge Offenders; he may likewiſe keep a Deputy, but he is no judicial Officer. The Conſtable of the Caſtle where a Foreſt is, is always of Courſe the Chief Warden of that Foreſt, by the Laws of the Foreſt.

A Verderor of a Foreſt is a judicial Officer, elected in the County-Court of the Shire where the Foreſt is ſituated, by Vertue of the King's Writ; when he is choſen, he has an Oath adminiſtred to him by the Sheriff, to maintain and keep the Aſſizes or Laws of the Foreſt, and alſo to inſpect, receive and inroll, and certify all Attachments, Preſentments, &c. of Treſpaſſes relating to Vert and Veniſon committed in the Limits of the Foreſts.

His Office in other Particulars, is much like unto that of a Coroner, in reſpect to Beaſts of the Foreſt; for if he finds any wild Beaſt killed or wounded in the Foreſt, he is to go and view

the ſame, and cauſe an Inquiſition to be made by a Jury of twelve Men, choſen from the next four Towns in the Foreſt, how ſuch Beaſt was killed or wounded; as a Coroner does when a Man is ſlain.

A *Regarder* is an Officer ſworn to view and inquire of all Offences committed in the Foreſt, and of all Concealments, Defaults of Foreſters, and other Officers of the Foreſt, *&c.* And there are three Sorts of them, *viz.* one made by the King by Letters Patent, whereby the ſaid Office is ſometimes granted in Fee, but commonly for Life: Another Sort appointed by the Lord Chief Juſtice in Eyre, or by Writ directed to the Sheriff, who are to exerciſe their Offices only during the King's Pleaſure: And a third Sort of Regarders made for the preſent Service of the Court of Swainmote, or appointed to ſerve at ſome other Time in the Abſence of another Regarder that is ſick or otherwiſe diſabled to execute his Office.

A *Foreſter* is an Officer conſtituted by Letters Patent, to hold the Office either in Fee, (when he is to pay a yearly Fee-Farm-Rent) for Life, or *durante beneplacito*; and ſometimes a Foreſter holds his Office by Preſcription: His Buſineſs is to preſerve the Vert and Veniſon within his Walk; to attach Treſpaſſers, and preſent the Offenders and the Attachments at the Courts of Attachment and the Swainmote.

This Officer hath commonly Servants under him, to execute the Office in looking after the Foreſt, and taking Care of the Deer therein, which have the Appellation of Under-Foreſters or Keepers. And every Foreſter when he is firſt called, ought to deliver his Horn to the Chief Juſtice in Eyre upon his Knees.

An

An Agistor is an Officer that attends upon the King's Woods and Lands in the Forest, to receive and take in the Beasts and Cattle of Persons, being Inhabitants of the Forest, to have Common and Herbage at certain Rates and Prices for the Use and Profit of the King; and this taking in of Cattle is called Agistment.

A Ranger is not properly a Forest-Officer, but he is a considerable Officer belonging to the Forest; his chief Business is to determine Matters relating to Venison coming out of the Forest into the Purlieus.

Ministers of the Forest shall not be put upon any Assise, Jury or Inquest, to be taken out of the Bounds of the Forest. 34 *E.* 1. *Laws and Law Cases.*

No Constable or Bailiff shall hold Pleas of Forests for Green Hue, or Hunting, but the Forester shall attach such Pleas, and present them to the Verderors of the Provinces, to inrol them and present them under Seal unto the Chief Justice of the Forest. *Stat.* 9 *H.* 3.

No Officer of a Forest shall take or imprison any Person without a lawful Indictment; and if any Felony be committed in a Forest, it is said, it shall be inquired into before the Judges of the Common Law, and does not belong to the Chief Justice of the Forest.

By the Forest-Laws whoever receives a Malefactor within the Forest either in hunting or killing of Deer, knowing him to be such an Offender, or receives any of the King's Venison knowingly, is a principal Trespasser: But at Common Law such a Receiver is only Accessary.

If any Person shall take Deer in a Forest, such taking is only a Trespass; but if the Deer be killed by the Forester, and afterwards carried away

by another, it is Felony; and the Offender ſhall ſuffer as in other Caſes of Felony.

And ſo in reſpect to Timber, a Foreſter was indicted for feloniouſly cutting down and carrying away ſeveral Timber-Trees; though the Judge would not permit an Arraignment for Felony upon that Indictment, becauſe the Trees which are growing are annexed to the Freehold, (of which a Man cannot commit Felony,) yet if the Trees had been cut down by the Proprietor, and then the Foreſter had carried them away, this would amount to Felony.

And to take and carry away Corn growing on the Ground, Fiſh in a River, or Pidgeons abroad, is no Felony: But if the Corn be cut by the Owner, and afterwards carried away by another, or Fiſh be taken after they are put into a Trunk by the Owner, or Pigeons be taken from a Pigeon-Houſe; theſe Offences are Felony. 12 & 18 *H.* 8.

Where Felony is committed in a Foreſt, Hue and Cry may be taken out to purſue the Felon whereſoever he goes, as after a Felon at Common Law, until he is apprehended and brought to Juſtice: But if the Offence be only Treſpaſs, *Quære* whether the Foreſter can purſue the Offender with Hue and Cry, out of the Boundaries of the Foreſt.

When any Injury is done to the Foreſt, in hunting and deſtroying the wild Beaſts thereof, and the Offender being detected flies for the ſame, the Foreſter or any other Officer, ſhall forthwith make an Outcry unto the Inhabitants and next Dwellers in the Foreſt, requiring them in the King's Name, to aid and aſſiſt in the Purſuit of the Offender, from Town to Town, Village to Village, *&c.* within the Limits of the Foreſt.

If any Perſon ſhall neglect or refuſe to aſſiſt in the

the Purſuit after Hue and Cry made, the Default of ſuch Perſon ſhall be preſented at the next Swainmote, and on Conviction according to the Laws of the Foreſt, he ſhall be fined; and a Townſhip or Vill which is faulty, may be fined. *Itin. Lanc.* 7.

If an Offender being purſued with Hue and Cry, ſhall make any Reſiſtance when apprehended within the Limits of the Foreſt; and the Foreſter or other Perſons which come in to his Aſſiſtance happen to kill him, they ſhall not be arraigned for the ſame, or undergo any Puniſhment. *Contra* out of the Bounds of the Foreſt.

The Meets and Boundaries of Foreſts, are immoveable as the King hath an Intereſt in them; and the Officers of the Foreſt ought to be well acquainted with them, that when they proceed to make their Views, in relation to Devaſtation of the Woods or Coverts, and inquire into Offences committed, and all ſuch Articles which they are by their Oaths bound to preſent, they may make legal Inquiſitions, and proceed in their Offices with Safety: Theſe Boundaries are known either by Preſcription or by Matter of Record.

By the Statute of 17 *Car.* 1. *c.* 16. the Meets, Limits, Meers, and Boundaries of all Foreſts, ſhall be taken, adjudged, and deemed to extend no farther than commonly reputed, known, uſed, or taken to be, *&c.* in the 20th Year of King *James* I. and not beyond in any wiſe; any Perambulations, *&c.* to the contrary notwithſtanding.

A Dwelling-houſe or Mill that is a Mark of the Foreſt, the King hath no Intereſt in, by Reaſon theſe are no Covert or Relief for the wild Beaſts: But a Man may not fiſh in a River, which is a Boundary or Meer of the Foreſt, without a Warrant for that Purpoſe, becauſe 'tis Parcel of the Foreſt. And if any Perſon ſhall hunt or kill the King's Deer

Deer in any River, Highway, &c. being an inclusive Boundary of the Foreſt, the Offence is equal to killing Deer in the Midſt of the Foreſt, though the Intereſt in the Soil of the Highway belongs to another Man. *Aſſizes of Pickering, Anno* 8 *Ed.* 3. 2 *Inſt.* 318.

Perſons may hunt the Hare and keep Spaniels within the Liberties of the Foreſt, on laying Claim to ſuch Privilege; but without Claim it is unlawful.

Maſtiffs expeditated, and little Dogs, may be kept in a Foreſt; but no other Dogs, without ſuch Claim, or by Vertue of a Grant from the King, or the Owner of the Foreſt.

The Regarders of the Foreſt are every third Year to ſee what Dogs are expeditated, and what not; and if there appears upon Examination to be any Dogs not expeditated, the Regarders are to preſent the ſame, with the Names of the Owners: Whereupon the Dogs are to be produced, and expeditated by Perſons appointed in the Court of Swainmote, and the Owners ſhall be amerced 3 *s.*

The Regarders have an abſolute Power on the View and Inquiſition of expeditating Dogs, for they may aſſeſs the Fine themſelves; and upon their Preſentment certified, and returned of Record before the Verderors, the Fine may be levied preſently.

If a Man is indicted for keeping a Dog in the Foreſt not expeditated, and he pleads, That 'tis not his Dog, this is not a good Plea, without ſetting forth the Property to be in ſome other Perſon.

The Manner of expeditating Dogs, is to cut off three Claws of the Fore-feet by the Skin, with a Chizel; by this Means the Dogs will be incapable of hurting the Deer; and Dogs which are allowed to be kept in the Foreſt, muſt be ſuch which are

not

not able of themſelves to injure the wild Beaſts of the Foreſt; though there is no Law to expeditate Greyhounds.

In reſpect to the keeping of Beaſts in a Foreſt, if a Man who hath Common appendant or appurtenant in a Foreſt for a certain Number of Beaſts, doth common there with more than his Number, then he ſurcharges the Foreſt, and is a Treſpaſſer puniſhable by the Laws of the Foreſt, as well as the Common Law; for by ſuch Surcharge, the wild Beaſts are neceſſitated to find Paſturage in other Places. *Aſſiſ.* 22. *p.* 65.

All Manner of Beaſts are commonable in a Foreſt, (except Goats, Sheep and Hogs) and every Inhabitant in a Foreſt who hath Common appurtenant, that is, who can preſcribe to the ſame, in the King's waſte Soil, or in the waſte Soil of any other, as belonging to his Dwelling-Houſe or his Lands, may have Common in a Foreſt.

And if the Foreſters or other Officers, diſturb the Cattle of any Perſon or Townſhip in taking Common in the Foreſt, or extort any Money for the ſame, 'tis finable at the Court of Juſtice-Seat.

But for a Surcharge of the Common, the Common ſhall be ſeized into the King's Hands; for by the Foreſt-Laws, whoever hath or claimeth any Liberty or Profit in a Foreſt, either by Grant or Preſcription, and abuſeth the ſame, by uſing it in another Manner than warranted by his Title, this is good Cauſe of Seizure; but may be reſtored on Payment of a Fine. Caſe of the Prior of *Lancaſter*.

When the Common of a Foreſt is ſo much ſurcharged, that there is not ſufficient Paſture left for the Deer, upon Complaint made by the Officers of the Foreſt, a Commiſſion will iſſue out of the Chancery, directed to the King's Lieutenant of the Foreſt, and the Verderors and chief Foreſters there, com-

commanding them to inquire by the Oaths of twelve Men, into what Number of Acres the Place contains, wherein the Surcharge is repreſented to be made; and what Number of Beaſts are commoning therein, and whoſe they are; what Pariſhes, Villages and Hamlets ought of Right to enjoy Common there; how many Meſſuages and Cottages there are in each of them; and how many Acres of Land do belong to every Houſe: Then by computing the Number of Beaſts, the ſame may well common, ſo as to leave ſufficient Paſture for the Deer, they ſhall rate and apportion every Man, what Number of Beaſts, and of what Species he may keep; and if any Perſon keeps more he is a Surcharger of the Foreſt.

If any Perſon ſhall aſſart or incloſe any Lands in the Foreſt out of the King's Lands, held either in his own Fee or in the Fee of any other Man, he ſhall be fined for the Offence; but on Compoſition with the King or Chief Juſtice, and paying a yearly Rent, he may continue the Incloſures. And to make any Encroachment on the King without Warrant, is a Purpreſture both by the Foreſt-Law and Common Law.

To build any Houſe within the Soil or Waſte of any Perſon in a Foreſt, or if a Man builds a Houſe in the Foreſt on his own Land, it is a Purpreſture and an Annoyance to the Foreſt and Game; for which the Perſon is to be fined, or to pay a certain Rent. And if the Land on which Purpreſture is made, is granted to another, both the Grantor and Grantee ſhall be amerced.

Where a Man wrongfully incroaches any Thing to himſelf in a Foreſt, either upon the King or upon any other Perſon, or takes upon himſelf any Juriſdiction or Franchiſe there without a lawful Warrant, theſe are Purpreſtures.

By

By the Laws of the Foreſt, a Man may fell Firewood, or other neceſſary Boots, by the View of the Foreſters or Verderors; but he may not cut any Timber or other Wood for Sale, without a Writ of *Ad quod dammum*. And if a Man have Freehold in a Chaſe, he may cut his Timber and Wood growing upon it, without View or Licence of any; but if he felleth ſo much, that there is not ſufficient left for Covert, and to maintain the King's Game, he ſhall be puniſhed at the Suit of the King.

A Grant of a Park by Letters Patent.

CHARLES, by the Grace of God, King of *England, Scotland, France* and *Ireland*, Defender of the Faith, *&c.* To all to whom theſe preſent Letters Patents ſhall come, Greeting: Know ye, That we of our ſpecial Grace and meer Motion have given and granted, and by theſe Preſents do give and grant for us and our Heirs and Succeſſors, unto our well-beloved Subject *A. B.* of, *&c.* Eſq; the Liberty of one Park for wild Beaſts, and alſo free Warren in all his Demeſne Lands, of and within his Manor or Lordſhip of, *&c.* in the County of, *&c.* with all Privileges which to ſuch Liberty of Park and Warren do belong or appertain: To have, hold and enjoy, the ſaid Liberty of Park and Warren to the ſaid *A. B.* his Heirs and Aſſigns in all his Demeſne Lands aforeſaid, ſo that no Perſon or Perſons ſhall enter into the ſaid Lands, to hunt in them, or any Part thereof, or preſume to take any Thing in them which belongeth to a Warren, without the Licence and Conſent of the ſaid *A. B.* and his Heirs, under the Penalty of, *&c.* any Act, Statute, or Ordinance to the contrary notwithſtanding: In Witneſs whereof we have cauſed theſe

theſe our Letters to be made Patents. Witneſs our ſelf at *Weſtminſter*, &c.

A Warrant for Deer yearly.

KNow all Men by theſe Preſents, That *I T.* Duke of *L.* Marquis of, &c. Have given and granted, and by theſe Preſents do give and grant unto *A. B.* of, &c. Gent. one Stag and two Bucks in the Summer, and one Hind and a Brace of Does in the Winter, yearly and every Year to be taken in and from my Parks of, &c. in the County of, &c. or in the Chaſe of, &c. during my Life. And I do hereby licence and authorize the ſaid *A. B.* and his ſufficient Deputy, yearly during the Term aforeſaid, in the Seaſons convenient and proper, to enter my ſaid Parks (calling my Keeper or Keepers thereof with him) and there to hunt and kill the ſaid Deer, and them to carry away at his Pleaſure, with ſuch a Number of Perſons as he ſhall think neceſſary. And further, I do hereby order, That if the ſaid *A. B.* ſhall not think fit to take upon him the Trouble of going to my ſaid Parks to kill the ſaid Deer, That then my Keeper or Keepers of my ſaid Parks for the Time being, upon an Order ſigned by the ſaid *A. B.* for the doing thereof, ſhall kill and deliver yearly the ſaid Stag and Brace of Bucks in the Summer, and one Hind and two Does in the Winter, as aforeſaid, for the ſole Uſe and Benefit of the ſaid *A. B.* without any Delay or Denial whatſoever. In Witneſs, &c.

A War-

A Warrant for the Killing of a Brace of Bucks.

YOU are hereby required to kill and deliver unto *A. B.* Eſq; one Brace of fat Bucks of this Seaſon, for which this ſhall be a ſufficient Warrant. Given under my Hand, *&c.*

L.

To *C. D.* Keeper of my Park of, *&c.*

PART

PART III.

Of Fiſh and Fiſhing; the moſt ſucceſsful Methods of Angling; the only proper Baits, Tackle, and agreeable Seaſons for taking all Sorts of Fiſh; and the Rivers wherein they are to be found, with the LAWS and Statutes relating to Fiſhing, &c.

AS the Sportſman cannot be compleat without a tollerable Knowledge in the Art of Angling, I make it the Buſineſs of my third and laſt Part of this Treatiſe, to inquire into, and fully lay down the ſeveral Ways and Methods of ſucceeding in this agreeable Diverſion; ſo that you may not be unacquainted with any one Particular, which may contribute to and facilitate the Pleaſures of a Country Life.

And in Purſuance of my Method obſerved throughout this Work, I ſhall begin with the Materials in general neceſſary for the Compleat Angler; ſuch as the Fiſhing Rod, Lines, Hooks, *&c.*

Your

Your Fiſhing-Rod for a Ground-Line ſhould be about fifteen or ſixteen Foot in Length, nine or ten Foot whereof to be of Cane, wherein a Top of Haſle conſiſting of one or two Pieces, and making five or ſix Foot in Length is to be placed, and at the End of that a ſmall Piece of round, ſmooth and taper Whalebone five or ſix Inches long, is to be fixed with ſtrong Silk well rubbed with Shoemakers-Wax; and at the End of the Whalebone, whip a ſtrong Nooſe of Hair, or a ſhort Piece of Silk, to faſten your Line to. The Stiffneſs of the Cane is helped by the Length of the Top; and this Sort of Fiſhing-Rod is in ſome Reſpects more convenient than any other, cemented in one intire Piece; for if your Hook be intangled in Wood, Weeds or other Trumpery at the Bottom of the River, you may take out the Top of your Rod; and inſtead thereof, fix in a forked Stick of Haſle and follow the Line therewith, until you come to the Hook, when it will looſen. *Fiſhing-Rods.*

Your Rod for a running Line in a clear River for Trout, Salmon, *&c.* and for Fly-Angling, ſhould be of two or three Pieces of Haſle, (two if you can procure them of a ſufficient Length,) and a Piece of Whalebone about ſix Inches long, all ſmooth, round and taper, proportionably fitted to each other, and neatly pieced together with fine Wax-Thread, wherein you are to cut the Pieces for five or ſix Inches in Length ſlopewiſe, ſo as at the Places of joining it may be no larger than any Part of the Rod of either Side it. The Month of *December* is the only Time for cutting your Haſle-Stocks and Tops, by Reaſon at this Seaſon they are freeſt from Sap; and they are to be bound up in Bundles, and put either in a Chimney where there is a moderate Heat, or in ſome other ſmoaky Place

to

to make them tough, for about a Fortnight: Then you are to take them down and ſet them ſtrait, putting them up in the Chimney again for the like Space as before; and after that, let them continue ſome Time in a dry Place before uſed.

Some Anglers prefer Stocks cut out of thick Deal Boards planed, and ſhot round taper-wiſe with Pieces of Haſle, Eugh, and Whalebone to top and compleat your Rod, which ſhould be ſeventeen Foot in Length; but theſe Rods are not to be procured without Difficulty and Expence, and the other Rods I have experienced do full as well.

Your Top for Fly-Angling and for running Lines for Trout, ought to be very gentle in the firſt Caſe, to preſerve your Lines (which are always very fine for this Fiſhing) when you hang a Fiſh; and in the laſt Caſe, that the Fiſh may more eaſily and without Interruption run away with the Bait. But your Rods for Perch, Carp, Tench, Roach, Dace, &c. ſhould not be ſo very gentle; they ought to be pretty ſtiff, ſo that the Rod may exactly anſwer the Motion of the Hand, when you ſtrike; otherwiſe you will be in Danger of loſing your Fiſh.

For the Length of Fiſhing-Rods in general, you are to proportion them to the Breadth of the River, but you are always to make Uſe of a Rod full as long as the River will bear, and to obſerve that the ſame be very well mounted, and not the leaſt top-heavy.

Of Fiſhing-Lines. For the Colour of your Lines, Hair of a Sorrel, Cheſnut or browniſh Colour, is the beſt for Ground-Angling, eſpecially in muddy Waters; they being not only the Colour of the Gravel or Sand, but of the Water alſo. Your white and grey, or duskiſh white Hair, is beſt for clear Rivers; and ſome uſe the pale watery Green for weedy

weedy Rivers in the Summer. Your Hair ought to be choſen from a Stone-Horſe or a ſtrong healthy Gelding, of about four or five Years old, from the middle Part of his Dock. And when your Hair is procured, you are to ſteep it twelve Hours in cold Spring-Water immediately, then waſh it very well from the Filth, without ſtraining any of the Hairs, and hang it up to dry three or four Days in your Kitchin, but not too near the Fire; and when it is throughly dry, put it either in a Caſe made of Parchment, a Bag, or Paper, and lay it by in a Box or Desk.

In the making of your Lines, never ſtretch or ſtrain any of the Hairs before uſed; for then they will ſhrink, and not only make your Line irregular but weaken it. Four or five of your lowermoſt Links are to be of the beſt Hair, the Hairs of equal Bigneſs, even, round, and free from Galls, Frets, *&c.* And many Anglers in Trout-Fiſhing, adviſe the two Links next the Hook, to conſiſt of three Hairs each; then one Link of four, at Top whereof to have a Water-nooſe; then Links of four, five, ſix and ſeven Hairs to the topmoſt Link, which is an approved Method in general, where Rivers are ſtocked with large Trouts. And Hooks are ſeldom whip'd to any Line, either for Ground or Fly-Angling that exceeds two, three or four Links in Length, having a ſmall Loop or Water-nooſe to the uppermoſt Link.

The twiſting the Hair even and neat, gives it Strength; for the attaining whereof, work it ſlowly, and neither too hard nor too ſlack; and when you have twiſted your Links, lay them in cold Water for an Hour, then twiſt them over again before you tie them into a Line, and your Hairs will not any of them ſhrink in the uſing of your Lines. Some Anglers mix Hair and Silk together, but theſe

Lines

Lines are not generally approved; either all Hair or all white Silk is eſteemed much better.

Your Lines for the Fly ought to be conſiderably longer than the Rod, which the experienced Angler will eaſily caſt out and manage. The running Worm-Line in a clear River for Trout, Grayling, *&c.* ſome Anglers adviſe to be longer than the Rod; others approve a Line of equal Length with the Rod, and a third Sort would have it a Yard or two ſhorter than the Rod, which laſt I muſt confeſs I prefer to either of the former. The Line for running Worms in muddy Water, ought not to exceed half the Length of the Rod. And the Line for Float-Angling, ſhould be as long or rather longer than the Rod for Rivers, but ſhorter than the Rod for Ponds and ſtanding Waters.

Hooks for Fiſhing.

Your Hooks for Fly-Fiſhing and for Cod-Bait ought to be generally ſmall, but larger for Worms; the Wire of the Hook ſhould be ſmall, but ſuch as will not ſtretch; the Points ſo well tempered, that they will not become dull with Fiſhing, but ſtill preſerve their Keenneſs; let the Hooks be long in the Shank, and of a Compaſs ſomewhat inclining to round, but the Point muſt ſtand even and ſtreight, and the Bending muſt be in the Shank.

You are to proportion your Hooks for Strength and Compaſs, to the Number of Hairs you angle with next your Hook; and uſe not a ſmall Hook to great Baits, nor a great Hook to ſmall Baits. Trouts in clear Rivers, Salmon, Smelts, Roch-Dace, Gudgeon, *&c*, are to be angled for with ſmall Hooks; Trouts in muddy Waters with great Hooks; Barbels and Chubs muſt have large Hooks; and Pearch, Carp, Tench, Bream and Eels, are to be fiſhed for with Hooks of a leſs Size, not to large.

When you ſet on your Hook, (which is ſtiled Arming, Fixing or Whipping) you are to perform it with ſmall ſtrong Silk well waxed, laying your Hair on the inſide of the Hook. Your Hooks for Angling with Worms are generally tied on with red-coloured Silk; but for Paſte, Cod-bait, *&c.* white-coloured Silk is beſt. And ſome uſe Flax or Hemp, others Hair for this Purpoſe.

The Hooks made by one *Denton* of *Yorkſhire*, are eſteemd the beſt; the *London* Hooks are of too thick Wire, and too open bent for a ſucceſsful Fiſhing.

So much for Obſervations in general, relating to Tackle to be furniſhed by the Angler: I now come to the particular Methods of Fiſhing; the beſt Baits, Seaſons, Rivers, *&c.* for the taking of all Sorts of Fiſh; and commence my Informations with the Angling for the Salmon, which is eſteemed the King of all Freſh-Water Fiſh.

Angling for the Salmon.

The Salmon is to be found in large deep Rivers and violent Streams, having gravelly weedy Bottoms, and which empty themſelves into the Sea; they delight in the deepeſt and broadeſt Part, and are commonly to be found near the Banks, wherein are hollow rocky Cavities, and ſometimes in the Middle of the Stream near the Ground; they are in their Nature reſtleſs, always endeavouring to attain the Spring-Head, ſo that at ſome Seaſons in the Year no Wears will keep them back.

There are ſeveral Baits preſcribed for the taking of this Fiſh, *viz.* the Worm, the Minnow, the Fly, but the Lob or Garden-Worm well ſcoured is the only Bait. Your Line ought to be made of white Silk, and your Hook to be large, having three

three or four ſmall Piſtol-Bullets, about twelve or fourteen Inches Diſtance from the Hook to ſink the Bait in the ſwift Waters. Your Bait is to be about four in Number, of your large Worms drawn on, by taking about an Inch hold of each in the Middle, ſo that the Ends of the Worms may be at Liberty, and play in the Water, except one to cover the Point of the Hook. When your Fiſh bites and is ſtruck (wherein you are not to be over-haſty, but to give him Time,) he inſtantly repairs to the Middle of the River, and there plunges and leaps for ſome Time, but will not run to the End of the Line like ſome other Fiſh, though he will not eaſily ſubmit. When he is tired, you are to land him either with a ſmall Net, or a large Hook fixed or ſcrewed into a ſhort Stick or Pole.

When this Fiſh is taken with a Fly or Minnow, it is commonly in angling for Trout. Some uſe a very long taper Rod, and others a ſhorter ſtiff Rod, with a Ring at the Top underneath, to throw out the Line to the utmoſt Extremity. And with this Rod and a ſmall Smelt or Dace for Bait, after the Manner of Snap-Fiſhing for the Pike, the Salmon is to be taken, eſpecially in the Month of *September*, when they come up the freſh Rivers to ſpawn. The Oil of Ivy-Berries, or Aſſa-Fœtida, by the Strength of their Smells, will make your Baits very tempting: And 'tis ſaid, That Worms kept in a Box anointed with the Oil of Ivy-Berries, are a Bait that will infallibly attract and oblige all Sorts of Fiſh to bite that are within the Scent of them.

The Months of Fiſhing for theſe Fiſh, are *April*, *May*, *June*, *July* and *Auguſt*, when they are in Seaſon; and in the River *Wye* in *Monmouthſhire* Salmon are in Seaſon the whole Month of *September*, though not in the Rivers *Thames*, *Trent*, *&c.* but the *Thames* Salmon

are generally eſteemed of a more nice and delicate Taſte than any others. Their beſt biting Time is about nine in the Forenoon, and three in the afternoon, when the Wind blows againſt the Stream.

There are ſeveral Sorts of Salmons, and all of them moſt beautiful Fiſh, eſpecially when alive; they grow very faſt, and the Melter is larger than the Spawner. The Spawning-Time begins the latter End of *Auguſt* or beginning of *September*, when they reſort to the Shoals near the Middle of the Stream, and with their Heads throw up the Gravel, ſo as to form a large regular Hole, wherein the Spawner lays her Spawn, and upon it the Melter drops his Milk, which being done like ingenious Workmen, they fill Gravel over and level their Works, and then retire to the deep Parts of the River, and afterwards to the Sea.

They labour ſome Time in the ſecuring of their Spawn, and you may frequently ſee three or four Salmon of a very conſiderable Size ſporting in their Works together; the Depth of Water they chuſe for this Purpoſe, ſeldom exceeding three or four Foot. But this is very fatal to the Fiſh, as it gives an Opportunity to Pochers to ſpear them in great Numbers; with a Candle and Lanthorn at Night, they will repair to the Surface of the Water, when they are eaſily deſtroyed, and in my Opinion the Laws are not ſevere enough to prevent this barbarous Deſtruction of theſe noble Fiſh.

I have taken many of theſe Fiſh in a River near *Romſey* in *Hampſhire*, and have been inform'd, That Salmon in that River have been killed of above forty Pounds Weight. The next Summer after Spawning, they return from the Sea to the freſh Rivers very fat; but if they are by any Means confined

to the freſh Water, they will grow lean and die in a few Years.

Trout Angling.

The Trout loves a ſwift Stream and the hardeſt Gravel, eſpecially where the Bottom is a little weedy, and is caught either with a Worm, Minnow or Fly.

If you fiſh with the Worm, make Choice of a Dew or Lob-worm, or a Brandling or Gilt-tail Worm, which laſt is eſteemed beſt for ſmall Trouts, and the Lob-worm the moſt approved for the large Fiſh. The Lob-worm is dug out of the Earth or Dung-heaps, and oftentimes taken at Night after a Shower of Rain in the Summer, when vaſt Numbers of them will come up to the Surface of the Earth, and even crawl upon the Ground at Length, ſo that they are eaſily taken; the Brandling-worms are uſually found in an old decayed Dunghill, or in Cow or Hogs-dung, but the beſt of them you generally find in Heaps of Tanner's-Bark; and large yellow Cadis-worms are very good Baits for the Trout in a ſtill Water.

Your Worms are the better and firmer for being ſcoured and kept ſome Time before uſed; and in an Earthen-pot with a good Quantity of Moſs, they will be very well preſerved and made fit for Uſe, being refreſh'd with a moderate Quantity of Water twice a Week in the Summer, and once a Week in the Winter. Let your Line be poiſed with Lead, ſuitable to the Stream in which you angle, ſufficient to ſink the Bait to the Bottom, and keep it juſt in Motion and no more. The Morning early and the Evening, are eſteemed the beſt Times for Fiſhing in the Summer, when the Fiſh are generally to be found in the ſhallow Parts of the River; and the Middle of the Day is accounted the beſt Time

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in the Winter, when the Sun ſhines, and the Fiſh at this Time love a deep Water.

At Mill-pond Tails, the Eddy between two Streams, and at the Heads of Holes near a Shoal, where there is a ſmall Covert of Trees, hollow Banks or Rocks, you frequently meet with the Trout; for theſe Fiſh and moſt others delight in having a Covert near: And dark cloudy Weather that is warm, the Wind being at Weſt or South-weſt is very promiſing of Sport; but the Trout and Salmon bite beſt at a Ground-bait, after a warm Shower of Rain which hath juſt diſcoloured the Water.

If you angle at Night for the Trout, (which you may do in the Summer ſucceſsfully,) you are to fiſh with two large Lob or Garden-worms, drawn on a pretty large thin Hook, having a Line without a Plummet; for you are to draw the Bait pretty near the Top of the Water, in a Place where the Stream runs a little quietly, that the Bait may be the more eaſily diſcern'd: And if there be a good Trout in the Hole, in a dark Night he will take it, and this Way ſometimes the Salmon is taken.

The old Trout is very fearful, commonly lies cloſe all Day (except in *May*, the Fly Seaſon,) and does not ſtir out of his Hole until Night, when he feeds very boldly near the Top of the Water, watching the Motion of every Thing that ſwims down the Stream: When he has taken your Bait in the Night, he will not eaſily forſake it as in the Day, ſo that it is beſt to let him gorge it.

If you fiſh for Trout with the Minnow, the Seaſon for which is the Month of *April*, before the Flies come abroad, when the Trouts are out of the Banks, make your Choice of Minnows that

are the whiteſt of the middle Size; your Minnow being ſo choſen, put it on your Hook ſo as to turn round nimbly, when drawn againſt the Stream; to effect which, you are to put your Hook (being of a large Size) in at his Mouth and out at his Gill; then having drawn it two or three Inches through his Gill, put it again into his Mouth, and the Point and Beard out at his Tail; then tie the Hook and the Minnows's Tail about very neatly with a white Thread, which will facilitate its turning in the Water: This done, pull back that Part of your Line which was ſlack, ſo that when you hook the Minnow the ſecond Time, it may faſten the Head, and the Body of your Minnow will be almoſt ſtrait on your Hook.

In Reſpect to your Tackling for this Fiſhing, your Line muſt be ſmall and made of Silk, by Reaſon ſometimes a Salmon will run at this inticing Bait; and if your Line was Hair, you would be in Danger of loſing him: You are to have two or three fine Swivels placed at regular Diſtances in your Line, one whereof not far from the Hook, which will contribute very much to the quick turning of the Minnow, ſo that it will ſeem as if ſhooting alive. Your Line is to be fixed to a long taper Rod, and to be about a Yard longer than the ſame, having a ſmall pyramidical Plummet near the Hook, by which Means you will with Pleaſure throw it out, and draw your Bait a little under Water in a ſwift Stream, but not ſo deep but it may be very viſible; you will ſee the Fiſh run at your Bait, when you are immediately to ſtrike. And large Trouts are commonly taken this Way.

If no Minnows are to be got the Trout may be taken with an artificial Minnow, which if well made, will deceive the moſt quick ſighted Fiſh in a ſwift Stream.

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The laſt Way of taking the Trout is with the Fly: Your Rod for this Purpoſe ought to be long, light, and very gentle, your Line not to exceed three or four Hairs, eſpecially near the Hook, though the upper Part of your Line ought to be ſtronger, otherwiſe if your Tackling ſhould break, you will loſe your whole Line: And if you can manage ſo as to fiſh with a ſingle Hair, you will increaſe your Sport. Let not your Line be too long, tho' ſome Anglers will eaſily manage a Line, eſpecially with an artificial Fly, three Yards longer than the Rod, or almoſt twice the Length of the Rod, if the River be not incumbered with Wood or Trees. You ought to chuſe your Time for this Angling, when the Sun is in your Face and the Wind in your Back, and to fiſh down the Stream, carrying the Point of your Rod downwards, to prevent the Shadow of your ſelf and Rod being diſcerned by the Fiſh; for the Sight of the leaſt Shade ſtartles them.

The Biting-time of this Fiſh is from Sun-riſing until near eleven in the Morning, and from two in the Afternoon till Sun-ſet; but about nine a Clock in the Forenoon, and three or four in the Afternoon, are the moſt conſtant Hours of biting, eſpecially with the Fly. When you repair to your Fiſhing, by the River's-ſide you may eaſily obſerve at what Fly the Trout leaps, then catch ſome of thoſe Flies, and ſecure them for Uſe in a ſmall Box with a Drawing-lid, whereby you may put in or take out a Fly, without hazarding the Loſs of your whole Stock; and the *May*-Fly is uſually in and about that Month, to be found with Eaſe near the River-ſide, eſpecially againſt Rain. When you have procured a Quantity of Flies, take one of the largeſt and bait your Hook with it, running the Point of your Hook and Beard thro' the Tail to the End, ſo that

the Fly will flutter and be more active than another not confined, to ſeek his Liberty; then caſt out your Line with the greateſt Nicety, ſo as not to ſtrike off your Fly, and let no Part of your Line touch the Water if poſſible, but only the Fly, moving your ſelf down with the Stream, and ſtrike at the firſt riſing of the Fiſh. A little Wind will be a very great Aſſiſtance in the throwing out your Line.

There are many Sorts of Flies wherewith Trouts are uſually taken, as the Dun Fly and Stone Fly in *April*, the Ruddy Fly in the Beginning of *May*, the Yellow or Greeniſh Fly about the Middle of *May*, and the Black Fly about the latter End of *May*, the ſad Yellow Fly in *June*, the Mooriſh Fly and Tawny Fly, both likewiſe good until the Middle of *June*, the Waſp-fly and Shell-fly in *July*, and the dark Drake-fly in *Auguſt*. The Caterpillar or Palmer-fly are often uſed, and about the Fall of the Leaf by dapping with a Graſhopper, in an Evening after a warm Day, you will not fail of Trouts.

I ſhall offer no Directions for the making of Artificial Flies, as I am very ſenſible no exact Rules can be preſcribed for this ingenious Part of the Buſineſs of Angling, which Practice only muſt compleat: But the Angler may carry a Bag of Materials with him to the Water-ſide, and after he hath caught one of the Flies at which the Trout leaps, he may try to make a Fly like it, and by frequent practiſing he may attain an exact Imitation. *May* and *June* are the Months for Fly-fiſhing, and the Trout will bite well before that Time, in the Months of *March* and *April*, and after theſe Months, in *July*, *Auguſt* and *September*.

In *Hampſhire* they have a Method for Trout-fiſhing, no where elſe practiſed, but the Largeneſs of the Rivers ſeems to make it neceſſary: Their Way

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of Fiſhing there in the Month of *May*, when the Fly-fiſhing is at its full height, is thus; two Perſons, each being furniſhed with a long Rod, go out together; when they come to the River they propoſe to fiſh, they ſeparate one on one Side of the Water, and the other on the other ſide; then having a ſtrong Hair-line, in Length twice the Breadth of the River, one of the Anglers is to fix one End of it to his Rod, and by fixing a Lead-Plummet to the other End, throw it over to his Companion, who likewiſe faſtens that End to his Rod taking off the Plummet; to this long Line are fixed two ſhort ones with Hooks, the Lines not exceeding two or three Yards in Length, placed about three Parts in four of the Breadth of the River diſtant from each other, and at equal Diſtance from each Rod: Theſe two ſhort Lines thus advantageouſly fixed, you may at your Pleaſure put over to either Side of the River, ſo as to command any Part of it for Fiſhing, or to land your Fiſh when hung, Bait your Hooks, *&c.* When you ſee a Fiſh riſe, and you have not only put to him but hung him, carry him down the Stream to a proper Landing-place, keeping your Line a little upon the Strain, that the Fiſh may not have too great Liberty to intangle himſelf in the Weeds; but you are not to keep your Line too much ſtrained when you ſtrike a large Fiſh, for fear of its breaking. The Fiſh being carried down to a convenient Place for Landing on either Side of the River, the Angler that receives the Fiſh, is to retire regularly with his Rod extended from the River, and his Companion on the other Side, is to go to the Water gradually to help over the Fiſh. And when the Fiſh is brought near the Shore, the Angler on that Side ſticks his Rod carefully in the Ground, and runs to the Water-ſide and lands his

Fiſh; then baits his Hook with a freſh Fly, and they proceed.

By this Method of Trout fiſhing you keep effectually out of the Sight of the Fiſh, which is the greateſt Obſtruſtion to Sport, and command the River far better than you can any other Way; and I have known incredible Numbers of large Trouts taken this Way in a very ſhort Space of Time. Brook-fiſhing is a very pleaſant Diverſion in the Month of *April*, with a ſhort gentle Rod, a very ſhort running Line, and a Ground-bait; and though the Trouts are ſmall, yet you fully make it up in the Quantities of them.

There are ſeveral Kinds of Trouts, and they all deſerve the Preference to any Freſh-water Fiſh: They continue many Months out of Seaſon; and till the Sun is powerful to warm the Earth and Water, the Trout is lean and unwholeſome. They ſpawn about *October* or *November*, and at this Time they will force themſelves againſt the Streams almoſt miraculouſly through Mills, Wears, Floodgates, *&c.* as the Salmon will leap over.

Angling for Pike.

This Fiſh delights in a dead, deep, and ſhady Water, unfrequented by Paſſengers, or rather in dead deep Parts of Rivers near to Shoals, for the ſake of the young Fry of Fiſh, on which they live.

The Baits for the Pike are various, as live Frogs, large Minnows, Gudgeons, Salmon-Smelts, young Trouts, ſmall Dace, Roach, *&c*, But the laſt I have experienced to be the moſt preferable live Bait, by Reaſon the ſmall Roach not only excels in Brightneſs in the Water, but will live near twice as long confined as any other Fiſh.

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The beſt Biting-time of this Fiſh is in the Morning early, and late in the Evening, in a clear Water, having a gentle Gale of Wind. The firſt Method of Angling for this Fiſh which I ſhall take Notice of is Trowling; for this agreeable Sport, having prepared a Line of fine Thread well twiſted and ſtrong, of about fifteen or twenty Yards in Length, a ſingle Pike-hook wired and leaded to ſink the Bait, a Rod of about twelve or thirteen Foot in Length, ſtrong and taper, but not heavy, with a ſubſtantial Wire-loop at the Top to throw out your Line, and a Bait of ſmall Dace or Roach, *&c.* Run the Wire of your Hook in at the Mouth, and out at the Tail of the Fiſh, letting the Point and Bend of the Hook ſtand out on one Side of the Fiſh's Mouth, then tie the Tail round faſt to the Wire, and the Thread tie to the Bow at the End of the firſt Link of Wire, and fix your Line to the Bow at the End of the ſecond Link of Wire, then caſt your Bait up and down in ſuch Places as you know the Pike frequents, letting it ſink a conſiderable Depth before you pull it up again. When the Pike ſtrikes at your Bait, which you may eaſily feel, ſlacken your Line and give him Length enough to run to his Hold, where he will ſwallow the Bait, and there let him lie till you perceive the Line move, when you may conclude with Certainty, that he hath pouched the Bait; then wind up the Line, or rather draw it up in long Links with your Hand till it is almoſt ſtrait, and with a nimble Jerk hook him, and bring him preſently to Land.

If you Fiſh at Snap, you are to uſe a double Spring-hook, and to bait in this Manner; firſt, make a Hole in the Fiſh's Side you intend for the Bait as near the Middle as you can, wherein you are to put your armed Wire, and draw it out at the Fiſh's Mouth; then you are to ſew up his

Mouth, and your Hook is baited. When you angle this Way, let the Pike run a little, and then ſtrike contrary to the Way he takes. If you fiſh with a Frog, you are to make Choice of the yelloweſt Water-frog you can get, from the Month of *May* to *Auguſt*, and by putting your Hook in at his Mouth and out at his Gills, and tying one of his Legs faſt above the upper Joint to the Wire, it will continue long alive in the Water.

The next and beſt Method of Pike-fiſhing is with the live Bait: You are firſt to catch your Baits, either ſmall Dace or Roach, or what other ſmall Fiſh, proper for Baits, are moſt eaſily taken, and having them alive in a Tin-pot with a Lid full of Holes made for that Purpoſe, full of Water, convey them to the ſeveral Parts of the River you purpoſe to fiſh. Then cut long Rods with Forks at the End, and ſtick them into the Bank: After this, with one of the ſharp Points of a fine Fork, make an Inciſion in the Side of the Bait juſt under the Skin, a ſmall Diſtance from the Head, of about an Inch in Length towards the Tail, through which put the Wire of your double Hook (the Hook not being too large, which is a great Fault,) letting the Body of the Hook be covered by the Skin of the Fiſh, and the Points ſtanding out bare; then faſten your Line to the ſmall Loop of the Wire, and throw out your Bait into the Water, over the Fork of your Rod pitched into the Bank, and let it lie about two Foot or two Foot and a half under the Surface of the Water, allowing it not too much Line, for fear it ſhould intangle in the Weeds, &c. Fix the Line on Shore, in the Slit of a ſmall Stick or otherwiſe, ſo that the Bait may not run it out, but ſo as a larger Fiſh may do it with Pleaſure; then let the Remainder of your Line lie eaſy and looſe, to be drawn out by the

Pike,

Pike, and tie the End of your Line ſecurely, either to ſome Bough of a Tree that will yield and give way, or to your forked Rods being well fixed in the Earth.

The live Bait will live in the Water at leaſt twenty-four Hours, perpetually ſhooting up and down to get looſe, before it will ſpend it ſelf; and if there be any Pike in the Hole within Sight of the Bait, it's ten to one but it will make a Run at this alluring Bait. I have known ſome Anglers lay theſe live Baits, many of them on ſeveral Lines faſtened to one grand Line, or rather, ſmall Rope, thrown along in the Midſt of the River, and ſecured at each End with weighty Stones, floating the Line with large Pieces of Cork; to this large Line, you may have your Pike-Lines baited as above, fixed with a ſmall Wadd of Ruſhes to prevent the Baits running out the Line, and winding up the Remainder of the Line looſe on the Ruſhes, ſo as it may eaſily unravel when a Jack takes the Bait; and by this Method where there are Plenty of Pikes, you may have half a Dozen Fiſh on one grand Line. And I have been informed, That ſome Anglers have fixed a live Bait, on a ſhort Line to a Duck's Leg, and faſtened a very long Line to the other Leg of the Duck from your Hand, then letting the Duck fly to the Middle of a Pond or Lake, where ſhe will ſwim till a Jack takes the Bait, which you may eaſily perceive; for if it be a large Fiſh, it will pull the Duck under Water, and then drag him to Land with the long Line. And a large Gooſe, ſome Anglers tell ye, will hale a Pike to Land this Way.

The laſt Way of taking the Pike I ſhall mention, is by Snaring, the beſt Time for which, is in *March* and the Beginning of *April*, in the hotteſt Time of the Day, when the Fiſh will appear near the

the Top of the Water. Your Method is to take a ſtrait, tough, taper Rod not too heavy, but ſtrong, of about twelve or fourteen Foot in Length, to the ſmaller End of which faſten a well nealed Wire, either large and ſingle, or ſmall Wire double and finely twiſted which is the beſt, made into a Nooſe or Snare; having opened the Nooſe wide enough to ſlip over the Fiſh's Head, let it down with your Rod gently into the Water, even with the Pike about two Yards before him, and guide it very gently towards his Head, fixing your Eye full upon him, till you have put the Snare over his Head and Gill-Fins, when you are immediately with a ſtrong upright Jerk to hoiſt him amain to Land. Trouts and other Fiſh may be taken this Way.

Pikes during their Spawning-time, which is about the Month of *March*, will repair in great Numbers to ſmall Ditches; and I have known one of ſeventeen or eighteen Pounds Weight ſnared in a Ditch you might eaſily leap over. They will take a dead Bait at Night laid at the Bottom, like the Eel, and are in Seaſon all the Year.

Pearch Angling.

The Pearch is a Fiſh of Prey as well as the Pike, and both are great Devourers of their own Species.

It is a delicate Fiſh to eat, but is ſlow of Growth, ſeldom exceeding fourteen Inches in Length, oftentimes leſs, though I have been at the taking of ſome as have been near two Foot long.

The Pearch delights in the ſame Water as the Pike, only more gravelly at the Bottom, and not quite ſo deep; he bites beſt in the Summer, when you may have Sport all Day in cool, cloudy or wirdy

windy Weather; but in the Winter he does not care to move at any Time but in the Middle of a warm Day, and generally his beſt Times of biting, is from ſeven or eight till ten a Clock in the Forenoon, and from two or three in the Afternoon till Night.

The Worm and the Minnow are the only Baits for this Fiſh; if you try with the former, the Brandling-worm well ſcoured in Moſs or Fennel is the beſt; and having a Float-Line, and a pretty ſtiff taper Rod, there is no Difficulty in the Management. And if you fiſh with the latter, chuſe your Minnows of a middle Size, have them alive in a Tin-pot of Water like unto the live Bait for the Pike; you are to bait them either by ſticking your Hook thro' the back Fin, or running it thro' the Minnow near the Tail, which will not much hurt it, and this Way is moſt commonly uſed. Let your Minnow be about three Foot under Water, or about Mid-water, ſwimming up and down, and being kept to that Depth with a pretty large Cork Flote, and ſunk with one large Shot fixed to the Line near a Foot from the Hook as uſual. When the Pearch bites, be ſure give him Time enough before you attempt to land him. Your Line muſt be Hair, but very ſtrong; and I have taken ſmall Jacks this Way of Fiſhing.

When you angle for Pearch in Water not very deep, it is a very good Method to ſtir the Sand or Gravel in the Bottom with a long Pole, or to caſt Earth and Sand into the Water, which will gather them together; this Method is likewiſe to be uſed in angling for Gudgeon.

Angling for the Carp.

The Carp originally a foreign Fiſh, at this Time abounds in *England*; but the River-Carp is the beſt Fiſh by far, though not ſo eaſily taken.

They breed more naturally in Ponds than running Streams, and the beſt Baits for them are Gentles, Gilt-tail-worm, Red-worm, Marſh-worm, Dew-worm, ſweet Paſte, Wheat boiled, *&c.*

Your Rod for this Fiſhing ought to be about fourteen Foot long, your Line to be about four or ſix Hairs, your Hook pretty large, and to your Line you are to have either a large Float of Quill, or a ſmall fixed Cork-Flote. You are to fiſh about Mid-water generally, but the Weather may ſometimes make it neceſſary to fiſh a little higher or lower; when the Carp takes the Bait, he runs to the farther Side of the River or Pond, and after you have ſtruck him, you are to give him Play, otherwiſe your Line will be in Danger; for he is very ſtrong, and will ſtruggle long with Vigour, being Leather-mouth'd.

The Carp bites very early and late from the Beginning of the Month of *April* to the End of *Auguſt*, and in the Midſt of Summer, he will bite all Night in the ſtill Part of the Water, but is a very ſubtile and wary Fiſh. In the Heat of the Day in *June* and *July*, Carps will ſhew themſelves on the Top of the Water amongſt the Weeds, which they love exceedingly, and may be taken with a well-ſcoured Lob-worm, caſt to them as you angle with a natural Fly, but you muſt carefully keep out of Sight: They are beſt in Seaſon in *March*.

This Fiſh being difficult to be taken, it is a very good Method to bait the Places you fiſh ſome Hours

Hours before you commence your Angling; and for this Purpoſe you may make up your Paſte in ſmall Pellets, and throw it into the Water, or you may firſt throw in ground Malt, Bran, Grains, Bunches of Worms, Blood, or any Sort of Garbage, and afterwards throw in your Pellets of Paſte, which you may likewiſe continue to do while you are Angling.

Paſtes are made different Ways; the firſt I ſhall mention is white Bread and Honey worked up together; then there is Paſte made of the Fleſh of a Rabbit; Bean-Flower and Honey beat in a Mortar, or worked with the Hand into ſmall Balls, and tempered ſo ſtiff, that it may not eaſily waſh off your Hook, but not too hard.

Carps breed beſt in warm Ponds free from bluſtering Winds, or Pits, new Ponds, *&c.* They will ſpawn three or four Times a Year, beginning the firſt Time in the Month of *May*, ſo that their Increaſe is wonderful; But as they live to a great Age, ſome affirm that the Female-Carp will be near eight Years old, others three or four Years, before ſhe will begin to multiply, though the Male will be fit at three or four Years old. And if you would have theſe Fiſh grow large and very fat, you need only remove them into Pits and deep Puddles in Paſtures, or into deep Ditches in Meadows, or foul Horſe-Ponds, and you will find a very ſudden Growth.

They live long out of Water, and are an excellent Fiſh.

Angling for Tench.

This Fiſh like the Carp, delights in Ponds more than Rivers; and if you find them in Rivers, it is commonly in deep and quiet Places.

This

They have ſmall and ſmooth Scales, the reverſe to thoſe of the Carp, large Eyes of a Gold Colour, and red Circles round them; from each Angle of the Mouth there hangs down a little Barb, in their Heads are two little Stones, of which great Uſe is made by foreign Phyſicians, and they are uſed in many medicinal Caſes, for which Reaſon they are ſtiled the Phyſicians of Fiſhes; and 'tis ſaid, That the Pike is ſo ſenſible of this, that he will ſpare theſe Fiſh.

In your angling for the Tench either in Pond or River, it is requiſite to bait the Ground with the ſame Ground-baits, and alſo to fiſh for them with the ſame Tackle as for Carp. The three hot Months are the only Time of Angling for theſe Fiſh, when they will take a Marſh or Lob-worm, and the ſmaller Worm, (a Cod-worm being put on the Hook before the ſmall one) they will likewiſe take a Flag-worm or a green Gentle, and incline very much to Paſte wherein Tar is mixed.

Theſe Fiſh ſpawn about the Beginning of *July*, and as they are uſed in Medicine, ſo they carry a natural Balſam in them to cure both themſelves and others; and 'tis ſaid, the very Touch of the Tench will cure any other Fiſh diſeaſed or hurt.

In fiſhing for Carp, Tench, Pearch, Roach, Bream, *&c.* it is a very good Method to have ſeveral Rods and Lines with Cork flotes to lie by, one Man may very well attend four and purſue his Pleaſure of angling for other Fiſh at the ſame Time: And I have obſerved, that ſome Anglers make uſe of many ſmall Lines of different Lengths, (though all of them ſhort,) and different Hooks and Baits all faſtened to one large running Line, with ſeveral large Shot to ſink it, fixed to a taper but pretty ſtiff Rod, which being laid by, you may take not only

only ſeveral Fiſh, but a pleaſing Variety at one Landing.

Eel-Angling.

There are ſeveral Sorts of Eels, but the Silver-Eel is the beſt, and the black Eel the worſt.

They delight very much in muddy Rivers, but the Eels in gravelly Streams are very preferable to the other, being therein ſcoured from their natural Filth. During the Winter Seaſon they ſtir not out of the Deeps and Mud, and at other Times they ſeldom appear in the Day-time, unleſs it be when the Water is a little thickned with a Shower of Rain, or in very hot Weather. In the Day-time they hide themſelves under ſome Covert, Roots of Trees, Stones, Piles, *&c.* but in the Night they ramble prodigiouſly. They never ſwim up the River they breed in, but always downwards, ſo that it cauſes no Deſtruction to the River to take them at Mills and Wears, *&c.* in Pots. And after having once taſted the Sea-Water, 'tis ſaid they will never return back to the freſh Rivers.

The Lob or Garden-worm, and Minnow, are the common Baits for the Eel, and theſe Fiſh are caught ſeveral Ways, as firſt by laying Night-Hooks, which are ſtrong and faſtened to ſtrong Lines, not above two or three Foot long, tied to ſhort Rods about three or four Foot in Length, which are to be ſtuck into the Banks of the River, and they are generally placed in pretty ſhallow Water to which the Eel feeds in the Night. If you bait with the Worm, you are to draw your whole Line through it by the Help of a Knitting-Needle, ſo as to place the Worm on the Hook, that the Eel may not eaſily ſuck it off without ſwallowing the Hook,

Hook, and the Point of the Hook is to be juſt covered.

Another Method of laying Hooks is, by fixing many of them on ſhort Lines, or rather Links, to one large Line or String, baited as above-directed; and the large Line having a heavy Stone at each End, you are to caſt out a-croſs the Stream drawing it ſtreight, and your Stones will ſink it; and in the Morning you may take it up with your Drag-hook, or you may have a Line from the Stone neareſt the Bank, fixed to ſome Bough of a Tree, or Pitcher by the River-ſide, and drag your Fiſh aſhore without the Trouble of a Hook.

Bobbing for Eels is the moſt ſlaviſh Way of taking them, but the Fatigue is generally made eaſy by the Numbers of the Fiſh taken. To fiſh this Way, you are to take large Garden-worms well ſcoured, and with a Knitting-Needle run a ſtrong Thread long but not large, well waxed with Cobler's-Wax through them from End to End; ſtring many thus, as will wrap at leaſt a dozen Times round your Hands, then tie the Ends of the Thread faſt, and tie the whole in a Bunch, being wound round your Hand as above, very faſt, and faſten the whole with the String to the Slip of a ſmall Cord about two Yards long; then having a leaden Plummet of a round pyramidical Form, about half a Pound Weight or more to ſink your Bait, with a Hole bored through the Middle, put your Cord through it, and let the large End of it reſt near the Bunch of Worms, ſo that by the little End the Plummet may be eaſily drawn through the Weeds, then fix your Line to a pretty long ſtiff Poll, that is large but not very heavy, and you are prepared,

Your

Your Length of Line ought not to be above eight Inches above the Surface of the Water; if it be longer, you will not certainly land your Fiſh, and you may by winding your Line on the Top of your Pole, make it of a Length to fit any Depth. When you find the Eels tug ſtrong and eagerly, which you will be very ſenſible of, draw gently up, and when you have them near the Top of the Water, hoiſt them nimbly to Land, but regularly and without a Jerk; for if you give the leaſt Jerk, they will drop off before you can bring them aſhore, there being no Hook to ſecure them only the Wax-Thread to faſten in their Teeth. With this Device you may take three or four at a Pull, and they will ſometimes bite ſo eagerly, that you may hold them on your Clod in the Air a conſiderable Space, gnawing and tugging at the Bait as a Maſtiff-Dog will at a Piece of Liver. Your beſt Time of fiſhing this Way, is either at Night in the Summer, in clear Warer, or in the Day-time after a ſudden warm Rain to thicken the Water in large Brooks.

Eels are commonly taken with the Pearch-Angle; and there are ſeveral other Ways of taking Eels, as by Spearing in the Summer, when they lie in the Weeds on the Shoals; by a continual ſtriking with the Spear into all Parts of promiſing Weeds, many of theſe Fiſh may be taken. And about the Month of *Auguſt*, they will lie near Weeds in the Middle of the Stream juſt under the Water and feed on ſmall Flies, eſpecially the larger ſized ones, when they are taken with a long ſtiff Rod, and a large ſharp Hook tied faſt to the End, by putting the ſame gently under their Bellies, and thus pulling them under Hand aſhore. And Eels of the largeſt Size are frequently taken with ſmall live Baits laid for Pikes, they being a Fiſh of Prey.

Angling for the Umber.

The Umber is very much like unto the Trout, and loves clear Water, ſwift Streams, but far from the Sea.

This Fiſh will take the ſame Bait that the Trout does, but its principal Ground-baits are the Gilt-tail-worm, the Brandling-worm, and Meadow-worm well ſcoured, Cod-bait and Flag-worm. When you angle for him with the Ground-bait, you are to let your Bait ſwim about ſix or eight Inches from the Bottom; and to be regular in this Particular, you are to make uſe of a Cork-Float, rather than the running Line which you uſe in fiſhing for Trout and Grayling. And your Bait muſt by no Means drag on the Ground, for the Umber uſually ſwims nearer the Middle of the Water than the Bottom, and is more inclinable to riſe than deſcend.

If you fiſh at Top of the Water, you may uſe either a natural or artificial Palmer-flie, (eſpecially the Camlet-fly) and angle as you do for the Trout. He is a very nimble Fiſh, ſwimming very ſwift, but dead-hearted when hooked, bites freely, is tender mouthed, and often loſt by breaking hold.

This Fiſh lies cloſe all the Winter, but in *April* he ſhifts his Winter-Quarters, and betakes himſelf to the Middle of the River; for Size he ſeldom exceeds a Foot and a half in Length; he is good all the Year, but beſt about the Month of *December*. And this Fiſh and the *Grayling* differ only in Name, the larger being called Umber, and the ſmaller Grayling.

When the Water is diſcoloured with a ſudden Shower of Rain in the Summer, you may fiſh for Umber on a Bridge or high Eminence from the Water without a Rod, having a long Pike Line with two

two or three Yards of fine Silk-Line next the Hook, the Hook large but thin and baited with a Lob-worm or two well ſcoured, the Line having a Musket-ball about three Foot diſtance from the Hook; throw out your Bait, having looſened your Line in ſeveral large Links or Bows in your Hand for that Purpoſe, into an eddy or ſwift Place near a Hole, where your Bullet will ſink it, but ſo as to play up and down by the Motion of the Water, which it will do by its Diſtance from the Plummer, here let your Bait lie ſome Time, and when you feel a Fiſh bite, give him Line and Time to hang himſelf, and then draw in your Line with your Hand and land your Fiſh. And this Way I have taken large Trouts, Eels. Flounders, *&c.*

Chub-Fiſhing.

This Fiſh is ſo eaſily caught, that it is eſteemed the beſt Fiſh to enter the young Angler.

He is to be found in Angles or deep Holes, where the Water runs not violent, in large ſhady Rivers of clay Bottoms; and thrives very well in Ponds wherein Rivulets empty themſelves.

The Baits for this Fiſh are various, according to the Seaſon of the Year you angle for them. In *March* and *April* they will bite at Worms, in *May*, *June*, and *July*, they'll take Flies or Beetles, Snails, *&c.* and in the cooler Months, a Paſte made of the ſtrongeſt Cheeſe pounded with a little Butter and Saffron; but they never refuſe the Graſhopper on the Top of a ſwift Stream, nor the young Humble-Bee at the Bottom; and they will ſometimes bite at a Minnow.

The beſt Time of Fiſhing for theſe Fiſh is from Sun-riſing to eight or nine a Clock, and from three in the Afternoon to Sun-ſet. If you fiſh with a Graſ-

hopper, place your ſelf in ſome Covert if poſſible to be out of Sight, for they are a very ſhy and timorous Fiſh; having baited your Hook, let it hang about a Foot above the Water, and if you ſee the Chub ſoaring near the Top of the Water, which they commonly do in warm Weather, move your Rod very ſlowly, ſo as to let your Bait fall gently in the Water three or four Inches before your Fiſh, when he will certainly take it; if he ſhould ſee you or the Shadow of your Rod, he will ſink towards the Bottom, but if you keep your Station you will ſoon ſee him riſe again.

In the Winter the Chub is taken at Mid-Water, or lower Angling with a Float; at Bottom, by a Ledger-bait; and in the Summer at Top, by dibbing as above directed: They will ſcarce looſe their Hold, ſo that it is your ſureſt Way to give them play enough before you offer to land them.

This Fiſh ſpawns in *March*, and becomes in Seaſon a Month after Spawning. And when Cattle in the Summer reſort to the Fords, their Dung attracts all Sorts of Fiſh, and you may angle near ſuch a Place for the Chub with Succeſs.

Angling for the Barbel.

The Chub and Barbel are reputed the worſt and coarſeſt of Freſh-water Fiſh.

In the Summer you may find the Barbel in the ſwifteſt Parts of the River, that is pretty ſhallow and weedy, and he delights to lie under the Shades of Trees in a gravelly Stream, where he will dig with his Noſe very ſtrangely; and at Bridges, Floodgates or Wears, you will find this Fiſh in the ſwifteſt Current; but in the Winter he retires from the ſwift and ſhallow Parts of the River, to deep and quiet Banks or Holes.

The Baits for this Fiſh are Red-worms, Dew-Worms, *&c.* well ſcoured and very clean, the young Brood of Waſps, Hornets, and Humble-Bees, the Bob of all Sorts, Paſtes, new Cheeſe, *&c.* but his prime Baits are Gentles not too much ſcoured,

You are to angle for this Fiſh with a pretty ſtiff but taper Rod, ſtrong Line and Float, a pretty large Hook; and your Bait, muſt very near, if not quite touch the Ground. The beſt Time of Fiſhing is from the Beginning of *May* till the End of *Auguſt*, he bites moſt kindly Mornings and Evenings, but is a cunning wary Fiſh, and when hung will ſtruggle ſo vigorouſly, that it requires the beſt Management to preſerve your Tackle.

The Barbel ſpawns about the Month of *April*, and the Spawn is ſo very unwholſome, that it is eſteemed a very ſmall Degree from Poiſon.

Bream-Angling.

Ponds are the moſt natural to the Bream, and though they breed in Rivers, they never grow ſo large and Flat there as in the Ponds. They love the deepeſt and broadeſt Part of gentle Streams, a little muddy, with ſandy and clay Bottoms.

There are ſeveral Sorts of Baits for this Fiſh, the Dock or Flag-root Worm like a Maggot, the Gilt-tail Worm, young Waſps like Gentles hardned and dried by the Fire, a large Red-worm without a Knot well ſcoured in Moſs, Paſte made with brown Bread and Honey; and in *June* and *July* he will take the Graſhopper and Flies under Water.

When you fiſh for the Bream, it is a very good Method to go to the River-ſide at three or four a Clock in the Afternoon in the Summer, when you may

may ſee them in Shoals, and find out their Haunts; then prepare a Ground-bait of ſweet Malt groſs ground and boil it, and when cool repair to the Water-ſide about eight or nine a Clock in the Evening, and caſt in the greateſt Part of your Ground-bait, firſt ſqueezing it hard between your Hands, and make an Allowance for the Current to carry it to the right Place.

About four a Clock the next Morning, ſet out with your Tackling for the Water-ſide, which is to be a long Rod, a fine Silk or Silk and Hair-Line, a large Swan or Gooſe-Quill Float, and a moderate ſized Hook; bait your Hook and caſt it over the Ground-bait, and there let it reſt; when you have a Bite you will perceive the Float to ſink ſuddenly into the Water, but you are not to ſtrike till the Line go clear away; and if it be a Bream or a Carp, they will immediately ſhoot to the farther ſide of the River, and you may then ſtrike, but do it gently, holding your Rod upon the bent a little while, but not pulling while the Fiſh ſtruggles for fear of breaking your Tackling.

This Sport may be purſued with great Pleaſure, by laying by three or four Rods as directed under the Head of Tench-Angling. You may continue your Fiſhing at four a Clock in the Afternoon, by throwing a further Quantity of Ground-bait into the Water, and if it be a gloomy Day and windy they will bite all Day.

The Bream is in Prime the Months of *July* and *Auguſt* after the Summer feeding. And if Pike or Pearch breed in the ſame River, they are to be firſt taken, which is a general Rule with reſpect to Angling for many other Sorts of Fiſh, thoſe Fiſh being Fiſh of Prey and very much diſturb and frighten the reſt. And you may lay your live Baits for the Pike, at the ſame Time you are fiſhing for Bream, &c.

Angling

Angling for Roach and Dace.

The Roach and Bream very much reſemble the Carp, being very broad and thick, but ſhort, and their Scales large, and ſet in excellent Order; they are Leather-mouthed, have their Teeth in their Throat, and are very bony. And the Dace is a long thin Fiſh of exceeding Whiteneſs, but likewiſe full of Bones.

Theſe Fiſh delight in a gravelly ſandy Ground, and if it be a little clayie they like it never the worſe. And in the cleareſt, deepeſt, and ſtilleſt Parts of the River, that are moſt ſhaded, amongſt Water-Docks, under Water-Lilles, *&c.* they are certainly taken.

In hot Weather the Roach may be taken with a natural Fly, as the Trout, having a very ſmall Hook, or with the Fly drawn under Water. In cooler Weather, you are to fiſh with a very ſmall Lead and Float about two Foot under Water, baiting with Ant-Eggs, *&c.* and you are to fiſh deeper, as the Weather increaſes in Coolneſs, ſo as to have your Bait not above half a Foot or a Foot from the Bottom in the Winter; but if you bait your Place, you are to fiſh deep at all Times of the Year.

In *April* and *May* you may angle for the Dace with ſmall Gilt-tail Worms, little white Snails, Ant-Eggs, Houſe Flies, Caddis, Cod-bait, within five or ſix Inches of the Bottom, the Water being clear. In *June* and *July* fiſh for them with boil'd Grain, naked Waſps and Bees, Gnats, Ant-Flies, Graſhoppers, Caterpillars or Worms bred on Plants, Buſhes, *&c.* In *Auguſt* and *September*, the black Ant-Fly is an excellent Bait both at Top of the Water, and within ſix Inches of the Bottom in a clear Water. And if you Angle for Dace in the

Winter, your beſt Baits are Worms, Gentils, dead Bees from Honey-Combs, boil'd Wheat husked, the Fiſh-Eyes, fat Bacon, or Paſte made with Flower of white Bread and a little Butter, work'd up with Cotton to make it ſtick to the Hook, and coloured with Saffron or Red-Lead. The ſame Baits will ſerve for the Roach.

Your Rod for Dace and Roach ought to be very long and pretty gentle, your Line very ſmall and not exceeding one ſtrong Hair at the Hook, which will ſecure a Fiſh of a Pound Weight at leaſt with good Management, your Hook to be very fine, and your Bait very clean. And if you fiſh in the Winter you ought to ſound the Depth with a ſmall pyramidical Plummet, not above half an Ounce in Weight, wherein is to be a ſmall Hole at the Top for the fixing of your Hook to it.

The Roach is a Fool-hardy careleſs Fiſh, frequently taking your Bait in your Sight, and when they are in the Humour of Biting, you may lade your ſelf from one Hole, They ſpawn in *May*, and within a Month after are in Seaſon, and ſo continue till *April*, but they are in their Prime in *February* and *March*. The Dace ſpawn in *March* and are ſoon in Seaſon, but not very good till about *Michaelmas*; they are both a coarſe Fiſh.

In the River *Thames* Roach are frequently taken in fiſhing for the Bleak or other ſmall Fiſh, by angling with your chief Line deep and a Worm-bait; having three or four ſhort Links fixed to your Line with Hooks baited, thoſe about Mid-Water with the Gentil, thoſe nearer the Surface with Paſte or ſmall Worms, *&c.* by which Means you take Roach, Dace, Bleaks, *&c.* at once.

Angling

Angling for the Smelt, Gudgeon, Bleak, &c.

The Freſh-Water Smelt ſeldom exceeds the Size of a Herring, is an excellent Fiſh, and whether produced from the Spawn of the Salmon as generally ſuppoſed, I do not take upon me to determine; though I confeſs there is a Probability of it, as they appear in *April*, a reaſonable Time for the Spawn of the Salmon caſt in *September*, to arrive to the Size they are commonly taken; and 'tis obſervable, that they make down to the Sea in great Quantities about the latter End of *April*, and are not to be met with afterwards.

Theſe Fiſh are taken with the Gilt-tail Worm, fine running Line, and a long taper and gentle Rod, in the Shoals of ſwift running gravelly Streams, and between or near Weeds at the Bottom; You'll find them as you do the Trout, and after a Shower of Rain you'll have excellent Sport: But with a ſmall artificial Fly and very fine Hook, at the latter End of *April* you may take them as faſt as you can caſt over them; I have known in a River in *Hampſhire* ſome Dozens of them taken in an Hour's Time.

The Gudgeon is a Fiſh of an excellent Taſte, and is eaſily taken with a ſmall red Worm on or near the Ground. This Fiſh is ſmaller than the Smelt, and uſually frequents the Shallows in ſandy gravelly Bottoms of gentle Streams, in the Summer when they ſcatter themſelves, but love a deeper Water in the Winter.

You may fiſh for the Gudgeon, either by Hand with a running Line or with a Float, having a very gentle Rod; he bites well in gloomy, warm, or hot Sun-ſhiny Weather, and bites all Day from *Lady-Day* to *Michaelmas*, but will not bite kindly

in cold Weather, and ſeldom moves before Sun-riſing or after Sun-ſet.

The Bleak or freſh Water Sprat, may be taken either at Mid-Water or the Top, with a Line called a *Paternoſter* Line, (*viz.*) a Line having ſix or eight ſmall Hooks tied to ſingle Hair-Links, and fixed within half a Foot of each other, and baited with Gentils, your Line having a Float of Quill; and in a Summer-Evening you may have very good Sport, by whipping on the Top of the Water for the Bleak with a fine artificial Dub-Fly.

Thus I have gone through the particular Ways and Methods of Angling for all Sorts of Fiſh in the beſt Manner, and have added under the ſeveral Heads, many very material Experiments and Improvements no where elſe to be found; I now proceed to the Laws and Statutes relating to Angling, which finiſh this Treatiſe.

The Laws and Statutes relating to Fiſhing.

The Statute 13 *Ed* 1. *c.* 7. enacts, That if any Perſon ſhall take Salmon or Trout out of Seaſon, or Pikes under ten Inches in Length, Salmon ſixteen, Trout eight, and Barbel under twelve Inches in Length; or ſhall uſe any Engine to take Fiſh, other than Angle or Net of two Inches and a half in Meſh, *&c.* he ſhall forfeit 20 *s.* for every Fiſh taken, and alſo the Net or Engine.

And by Statute 3 *Jac.* 1. *c.* 12. If any Perſon ſhall erect a Wear along the Sea-ſhore, or in any Haven or Creek, or within five Miles of the Mouth of any Haven or Creek, and ſhall deſtroy the Spawn or Fry of Fiſh, he ſhall forfeit 10 *l.* to be levied by Diſtreſs, *&c.*

This

This Act likewiſe declares, That no Perſon ſhall fiſh in any Haven or Creek, or within five Miles of any ſuch, with any Net or leſs Meſh than three Inches and a half between Knot and Knot, or with a Canvas-Net or other Engine, whereby the Spawn of Fiſh may be deſtroyed under the Penalty of 10 *s.* and the Net or Engine.

The Act 22 & 23 *Car.* 2. reſtrains Perſons from fiſhing in Rivers without the Conſent of the Proprietors. If any Perſon ſhall take or deſtroy Fiſh by any Deviſe in any Water or River or aſſiſt therein, without the Conſent of the Owner thereof, the Offender ſhall make ſuch Satisfaction to the Owner, as a Juſtice of Peace ſhall appoint, not exceeding treble Damages, and ſhall alſo pay a Sum not exceeding 10 *s.* for the Uſe of the Poor, or enter into a Bond with one or more Sureties in the Penalty of 10 *l.* not to offend again in the like Nature. And if he can do neither of theſe, he ſhall be committed for any Time not exceeding a Month.

By Statute 30 *Car.* 2. If any Perſon ſhall take Fiſh in the River *Severn*, in other Nets than directed by the Statute of 13 *Ed.* 1. uſe unlawful Nets, or any Deviſe for taking the Fry of Eels, and thereof ſhall be convicted in Seſſions, he ſhall forfeit 5 *l.* And every Perſon who between the firſt of *March* and the laſt of *May*, ſhall do any Act whereby the Spawn of Fiſh ſhall be deſtroyed, ſhall forfeit 40 *s.* and the Inſtruments, one Moiety to the Proſecutor, and the other to the Poor.

The Statute 4 & 5 *W.* & *M. c.* 23. Prohibits the keeping of Nets, Angles, Leaps, Pitches or other Engines for the taking of Fiſh, by any Perſons but the Makers and Sellers thereof, and Owners and Occupiers of Rivers or Fiſheries; and if any ſuch Nets or Engines, *&c.* are kept by any other Perſons, they may be ſeized and kept by the

Owners of ſuch Rivers and Fiſheries, or ſuch as they ſhall authorize.

By Statute 4 & 5 *Annæ*, the Statute 13 *Ed.* 1. is confirmed and continued in Force. And this Statute enacts, That no Perſon ſhall take Salmon at any Time between the 30th of *June* and the 11th of *November*, under the Penalty of 20 *s.* Offering Salmon to Sale, the like Penalty.

Two Juſtices reſiding within five Miles of the Rivers in *Hampſhire* and *Wiltſhire*, &c. have Power by this Act, to appoint Overſeers of ſuch Rivers and the Fiſh, &c. and to ſeize and deſtroy Nets, &c. And when Salmon or Trout ſhall be taken out of Seaſon, Pike under ten Inches in Length, &c, as particularized in Stat. 13 *Ed.* 1. the Offenders on Conviction upon Oath of one Witneſs, or Confeſſion before one Juſtice, ſhall forfeit for the firſt Offence a Sum not under 20 *s.* nor above 5 *l.* for the ſecond Offence not under 40 *s.* nor above 10 *l.* And as the Offence ſhall be repeated, the Penalty to be doubled, &c. one Moiety to the Informer, and the other to the Poor: Or be committed for three Months.

Owners and Tenants of Mills in the Counties of *Hampſhire* and *Wiltſhire*, are to keep open an Hatch of a Foot ſquare in the Stream where there is no Wheel, whereby the Salmon may paſs and repaſs from the 11th of *November* to the 31ſt of *May*, and ſhall not uſe any Net, &c. in that Hatch during that Time, under the like Penalties.

And ſuch Owners, &c. of Mills, are not to lay Pots for the catching of Eels, between the firſt of *January* and the Tenth of *March*, without ſetting Racks before them to keep out the Salmon; and after the ſaid Tenth of *March* to the 30th of *May*, they ſhall not lay any Pots but what ſhall be wide enough, to let the Fry of Salmon paſs through to the

the Sea; and ſhall not take or keep, or offer to Sale, any of the young Fry during that Seaſon, on Pain of forfeiting as above.

By the Statute of 1 *Geo.* Owners and Proprietors of Rivers in the Counties of *Southampton* and *Wilts*, and their Servants and Agents, are not to kill Salmon between the firſt Day of *Auguſt* and the twelfth of *November*, or hurt any Salmon by Hawks, Nets, Angles or otherwiſe, or expoſe the ſame to Sale, under the Penalties and Forfeitures inflicted by the Statute 4 & 5 *Anne*, which Statute as to the Time of catching Salmon is repealed.

Salmon taken in the Rivers, *Severn*, *Dee*, *Wye*, *Tame*, *Were*, *Tees*, *Ribble*, *Merſey*, *Dun*, *Air*, *Ouze*, *Swale*, *Calder*, *Wharf*, *Eure*, *Darwent* and *Trent*, are to be from the Eye to the Middle of the Tail eighteen Inches in Length; and whoever ſhall kill or deſtroy them under that Size, or hinder them going up the Rivers to ſpawn, or kill them between the laſt Day of *July* and the twelfth of *November*, and thereof ſhall be convicted, ſhall forfeit 5 *l.* for every Offence, to be levied by Diſtreſs, and the Fiſh taken, Nets, Engines, &c. which are to be deſtroyed. For want of Diſtreſs to be ſent to the Houſe of Correction for three Months.

Fiſhmongers buying or ſelling Salmon taken in any of the ſaid Rivers, under the Weight of ſix Pounds, are liable to the like Penalties.

I ſhall conclude theſe Acts of Parliament, with ſome ancient Statutes relating to Fiſh-Ponds, and a few Law Caſes. The Statute 5 *Eliz.* c. 21. enacts, That if any Perſon ſhall unlawfully break down Fiſh-Ponds, or ſhall fiſh in them without Licence from the Owner, he ſhall ſuffer three Months Impriſonment, and give Security for his good Behaviour for ſeven Years, and the Party grieved may recover treble Damages.

And

And by the Statute of *Weſt.* 1. 3 *Ed.* 1. *c.* 20. Treſpaſſers in Ponds were to give treble Damages to the Party injured, ſuffer three Months Impriſonment, be fined at the King's Pleaſure, give Security not to offend again in the like Kind, or abjure the Realm.

If a Man derives a Title to a Fiſhery, by ſhewing a conſtant Enjoyment it is ſufficient, unleſs the Party be proſecuted by the Crown, when he will be obliged to produce his Patent or Licence from the Crown. 1 *Keb.* 290.

In Caſe of a private River, the Lord's having the Soil, is good Evidence to prove he hath the Right of Fiſhing; and it puts the Proof upon them that claim a Right of Fiſhing. *Per Hale.* But in Caſe of a River that flows and reflows, and is an Arm of the Sea, there it is common to all; and if any will appropriate a Privilege to himſelf, the Proof lies on his Side.

To take Fiſh in a River is no Felony; but taking Fiſh out of a Net, Trunk, or Pond, is Felony, becauſe they are not at their natural Liberty, and the Owner hath them in immediate Poſſeſſion as his Goods, *&c.*

FINIS.

THE TABLE.

A.

Attachment, Court of in the Foreſt, *Page* 98
Angling for all Sorts of Fiſh, 114

B.

Badger-Hunting, 44
Buck-Hunting, 86
Boundaries of Foreſts, *&c.* 107

C.

Canutus's Foreſt-Laws, 92
Carriers, *&c.* not to carry and diſpoſe of Game, 49
Chaſes, Original of, 91
Conies, 70
Courſing the Hare, 50
Courſing, Laws of, 53
Courts of the Foreſt, 97
Court of Juſtice-Seat, 100

D.

Deer-Hunting, 74
Deer, Laws for their Preſervation, 88
Dogs, by whom may be kept, 11, 108
Duck, *&c.* 16, 18

F.

Felony, what it is in reſpect to Game, 90, 106, *&c.*
Not Felony to kill unlawful Hunters, 69, 107
Ferrets uſed in Warrens, 70
Fiſh and Fiſhing. 114
The Fiſherman's Tackling, 115
Fiſhing for the Salmon, 119

Fiſhing

Fiſhing for the Trout, Page 122
——— for the Pike, 128
——— for the Pearch, 133
——— for the Carp, 134
——— for the Tench, 135
——— for the Eel, 137
——— for the Umber, 140
——— for the Chub, 141
——— for the Barbel, 142
——— for the Bream, 143
——— for Roach and Dace, 145
——— for the Smelt, Gudgeon, Bleak, &c. 147
Angling, the Laws of, 148
Of Foreſts, 90
Foreſts-Laws abridged, 92, 105
Incroachments in Foreſts, 110
Fox-Hunting, 40
Fowling, 3

G.

Game, the ſeveral Kinds of, by Law, 1
Game-keepers, how made by Law, &c. 59
——— deputed by Warrant, 62
New Game-Act, 61
Grant of a Park by Letters Patent, 111
Greyhounds, 50
Growſe, 31
Guns, Law-Caſes relating to 9

H.

Hares, killing, offering them to Sale, &c. Penalty by Law, 60
Hare-hunting, the Methods of, 36
Hart-hunting, 74
Hawks, 29
Heath-Game, Laws for Preſervation of, 31
Heron, 28
Hooks for Fiſhing, 118
Hounds for hunting, how choſen, entred, &c. 34
Hunting-Horſe, 32
Hunters Terms, 55, 84

The TABLE.

K.

Keepers of Parks, their Buſineſs, Power, &c. Page 67
Keepers of Foreſts 104

L.

Larks, how taken, 14
Laws relating to Dogs, Guns, &c. 9
—— of Courſing, and Laws of the Leaſh, 53
—— relating to Hunting, 47, 59
—— to Nets, 17
—— to Parks, 67
—— to Warrens, &c. 72
A Licence to hunt, &c. within a Manor, and ſeize Nets, 63
A Licence to a Gentleman to hunt, hawk, fiſh and fowl, 64
Lines for Fiſhing, 116

N.

Names of Deer, &c. 84
Nets, 13
The Crow-Net, 14
The Day-Net, *ibid.*
The Night-Net, 15
Nets for Water-Fowl 16
The Pheaſant and Partridge-Net, &c. 19

O.

Officers of the Foreſt, 103
Otter-Hunting, 47

P.

Parks, their Erecting and Management, 65
Park-Keepers, 67
Partridges and Pheaſants, how taken, 18, 22
—— Laws relating to them 29
Pigeons, 10
Ponds for Fiſh, breeding, &c. 135
Purlieus, 91

Q.

Quails, how taken, &c. 25
Qualification neceſſary to keep Guns and Dogs, 9, 11
Quality, Laws in Favour of them in Reſpect to Game, 68, 90

The TABLE.

R.

Rails, Page 25
Red-Deer, 66
Reſiſting a Keeper in a Park, 69
Rods for Fiſhing, 115

S.

Searching for Game killed, 11
Seaſons of killing Game, 74
Setting-Dogs, how bred up &c. 6
Shooting, how to take aim at a dead Mark, flying, &c. Powder and Shot, 3, 4
Snaring of Fowl, Springes, &c. 26
Soldiers, killing Game, &c. the Penalty, 48
Spaniels, 5
Squirrel-Hunting. 46
Stalking for Fowl, 24
Surcharging the Common in Foreſts, 109
Swainmote-Court in the Foreſt, &c. 99

T.

Teal, Laws for Preſervation of, 18
Terms of Hunting, 55
Tracing Hares, 47
Treſpaſſers in Parks, Ponds, &c. 70, 105.

W.

Warrens, Management of, and Laws relating to, 70
A Warrant impowering a Game-keeper, 62
Warrant for Deer, to be executed annually, 112
A Warrant for killing a Brace of Bucks, 113

FINIS.

MVSEVM BRITANNICVM